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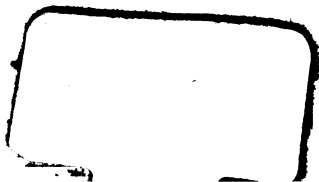
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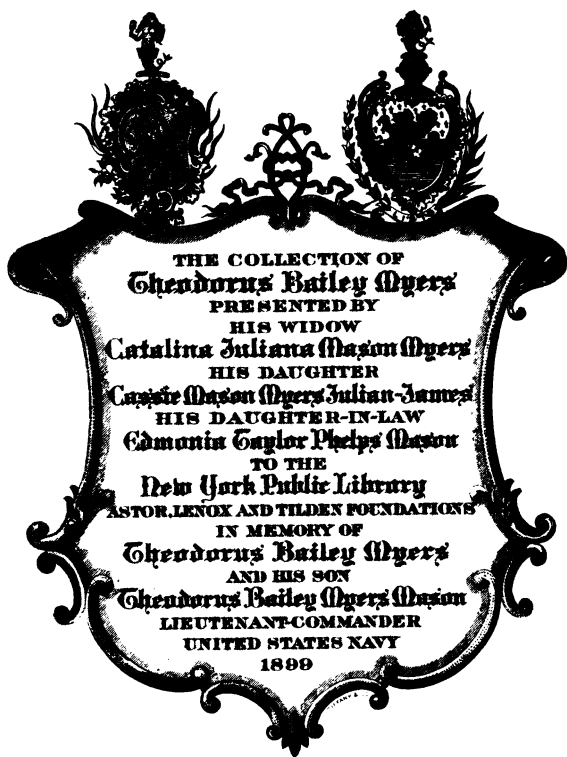
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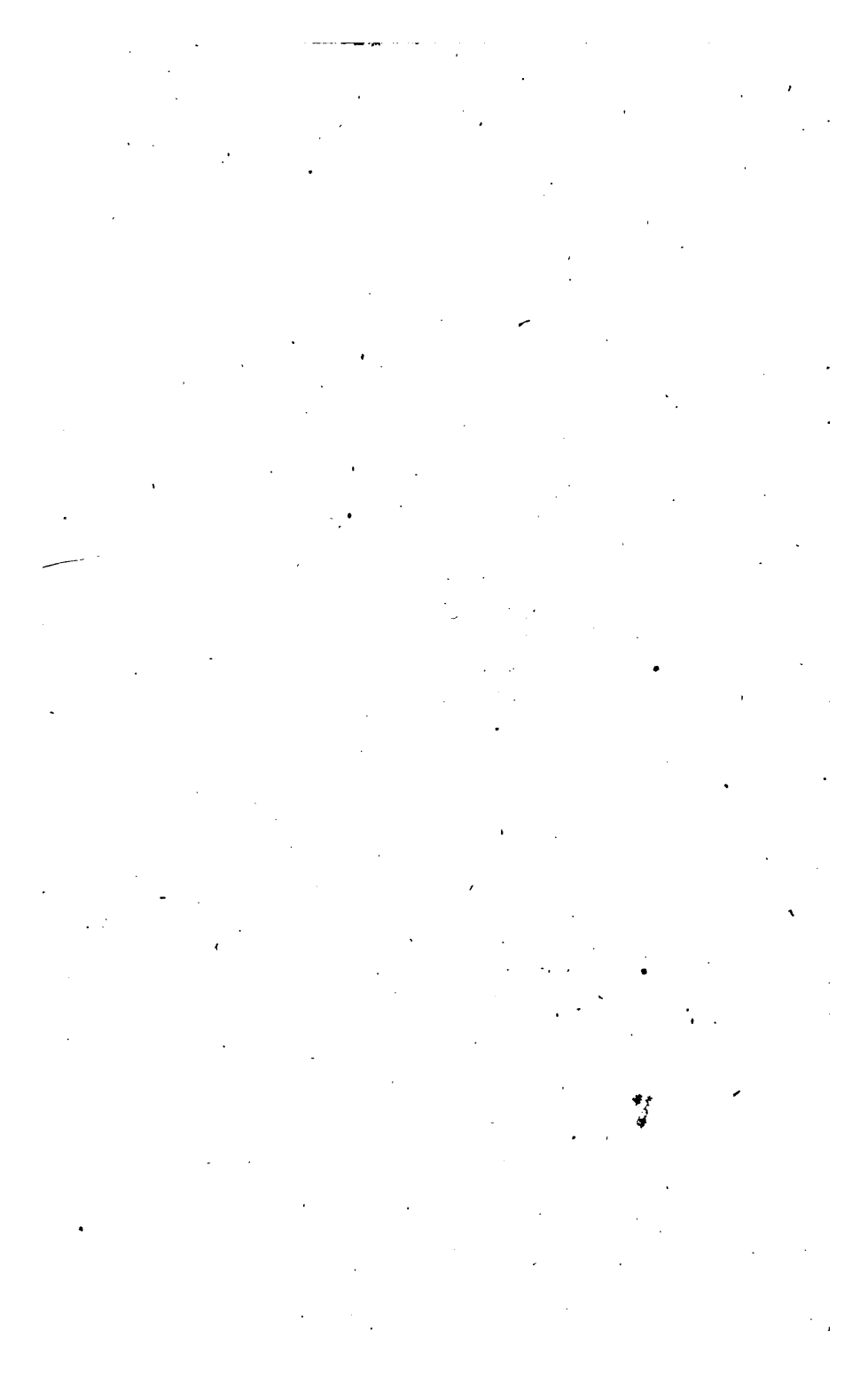
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(Dapin)



THE
HISTORY
OF
ENGLAND,
AS WELL
Ecclesiastical as Civil.

BY
M^r. DE RAPIN THOYRAS.

VOL. XIV.

CONTAINING

The Twelve last Years of the Reign of King
CHARLES II.

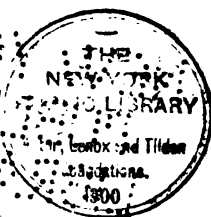
With a DISSERTATION on the Origin of the
Government of *England*. And on the Rise, Pro-
gress, Views, Strength, Interests, and Characters
of the two Parties of the *WHIGS* and *TORIES*.

Done into *ENGLISH* from the *FRENCH*, with
large and useful NOTES mark'd with an *, by

N. TINDAL, *A. M. Vicar of Great-
Waltham in Essex.*

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THE HISTORY of ENGLAND.

BOOK XXIII. PART. I.

The Twelve last Years of the Reign of CHARLES II.



Hitherto the *Cabal* had failed with a ^{1672 3.} prosperous Gale on a very dangerous ^{CHARLES} Sea, famous for Shipwrecks, without ^{II.} meeting any Impediment. But at last they were stopped in their Course by a Rock which it was not possible to avoid; I mean the Parliament. It was now almost two Years since the

Parliament was prorogued, and as in that Interval the King had taken some Steps which gave great Fears to his Subjects, a new Session was expected with the last Impatience, in Hopes that the Parliament would apply proper Remedies to the present Evils, and find Means to prevent others with which the Kingdom was threatned. The Parliament accordingly ^{The Par-} met the 4th of *February*, and first chose a Speaker ^{liament} by the Influence of the Court, Sir *Edward Turner* ^{meets.} the last Speaker having been made Chief Baron of the *Exchequer*. The Choice falling upon Sir *Job Char-* ^{A new} *leton*, he desired to be excused from this Emplay; ^{Speaker} but ^{chose.}

1672 3. but the Chancellor *Shaftsbury* told him before the King, that no Excuses would be admitted. *The Conjunction of Time, and the King's and Kingdom's Affairs*, added the Chancellor, *require such a House of Commons, and such a Speaker. For, with reverence to the Holy Scripture, the King may on this Occasion say, he that is not with me is against me: For he that doth not now put his Hand and Heart to support the King in the common Cause of this Kingdom, can hardly ever hope for such another Opportunity, or find a Time to make Satisfaction for the Omission of this.* After this, the King made the following Speech to both Houses.

“ My LORDS and GENTLEMEN,

*The King's
Speech to
the Par-
liament.
Echard.
p. 887.*

“ I Am glad to see you here this Day ; I would
“ I have called you together sooner, but that I
“ was willing to ease you and the Country, till there
“ was an absolute Necessity. Since you were last
“ here, I have been forced to a most important,
“ necessary, and expensive War ; and I make no
“ doubt but you will give me suitable and effectual
“ Assistance to go through with it. I refer you to
“ my *Declaration* for the *Causes*, and indeed the *Ne-*
“ *cessity* of this War ; and shall now only tell you,
“ that I might have digested the Indignities to my
“ own Person, rather than have brought it to this
“ Extremity, if the *Interest* as well as the *Honour* of
“ the whole Kingdom had not been at Stake : And
“ if I had omitted this Conjunction, perhaps I had
“ not again ever met with the like Advantage. You
“ will find the last Supply you gave me did not an-
“ swer the Expectation for the End you gave it, the
“ Payment of my Debts. Therefore I must in the
“ next Place recommend them again to your espe-
“ cial Care.

“ Some few Days before I declared the War, I
“ put forth my *Declaration for Indulgence to Dissenters*,
“ and have hitherto found a good Effect of it, by
“ securing Peace at home, when I had War abroad.

“ There

1672-3.

" There is one Part in it that hath been subject to
 " Misconstruction, which is that concerning the Pa-
 " pists; as if more Liberty were granted to them,
 " than to the other Recusants; when it is plain there
 " is less: For the others have publick Places allow-
 " ed them, and I never intended that they should
 " have any, but only have the Freedom of their Re-
 " ligion in their own Houses, without any Con-
 " course of others. And I could not grant them less
 " than this, when I had extended so much more
 " Grace to others, most of them having been loyal,
 " and in the Service of me, and the King my Fa-
 " ther: And in the whole Course of this Indulgence,
 " I do not intend that it shall any ways prejudice the
 " Church, but I will support it in its Rights, and in
 " its full Power. Having said this, I shall take it
 " very ill to receive Contradiction in what I have
 " done. And I will deal plainly with you, *I am re-*
 " *solved to stick to my Declaration.* There is one Jea-
 " lousy more maliciously spread abroad, and yet so
 " weak and frivolous, that I once thought it not of
 " Moment enough to mention; but it may have
 " gotten some Ground with some well-minded Peo-
 " ple, and that is, *That the Forces I have raised in this*
 " *War were designed to controul Law and Property:* I
 " wish I had had more Forces last Summer, the Want
 " of them convinces me I must raise more against the
 " next Spring; and I do not doubt but you will con-
 " sider the Charge of them in your Supplies. I will
 " conclude with this Assurance to you, *That I will*
 " *preserve the true Reformed Protestant Religion, and*
 " *the Church as it is now established in this King-*
 " *dom; and that no Man's Property or Liberty shall*
 " *ever be invaded.* I leave the rest to the Lord Chan-
 " cellor".

The Speech afterwards spoke by the Chancellor is
 1 remarkable, that it well deserves a Place in this
 1 story.

1672-3.

“ *My Lords, and you Knights, Citizens, and E*
 “ *gesses of the House of Commons.*

“ The King hath spoken so fully, so excellen
 “ well, and so like himself, that you are not to
 “ peect much from me. There is not a Word in
 “ Speech that hath not its full *Weight* : And I d
 “ with Assurance say, will have its *Effect* with y
 “ His Majesty had called you sooner, and his Affa
 “ required it, but that he was resolved to give y
 “ all the Ease and Vacancy to your own private C
 “ cerns ; and the People as much Respite from P
 “ ments and Taxes, as the Necessity of his Busine
 “ or their Preservation would permit. And
 “ (which I cannot but here mention to you) by
 “ crafty Insinuations of some ill-affected Perso
 “ there have been spread strange and desperate
 “ mours, which your meeting together this Day ha
 “ sufficiently proved both malicious, and false. I
 “ Majesty hath told you, that he is now engaged in
 “ important, very expensive, and indeed a War :
 “ solutely necessary and unavoidable. He hath
 “ ferred you to his *Declaration*, where you will fi
 “ the *Personal Indignities by Pictures and Medals*, a
 “ other *Publick Affronts* his Majesty hath receiv
 “ from the States, their Breach of *Treaties*, both
 “ the *Surinam*, and the *East-India* Business : And
 “ last they came to that Height of Insolence, as
 “ deny the Honour and Right of the *Flag*, thou
 “ an undoubted Jewel of this Crown, never to
 “ parted with, and by them particularly owned
 “ the late Treaty of *Breda*, and never contested
 “ any Age. And whilst the King long expecte
 “ and then solemnly demanded *Satisfaction*, they c
 “ puted his Title to it, in all the Courts of *Chri*
 “ dom, and made great Offers to the *French Kin*
 “ if he would stand by them against us. But t
 “ most *Christian King* too well remembered wh
 “ they did at *Munster*, contrary to so many Tre
 “ ti

1672-3.

“ ties and solemn Engagements ; and how dangerous
 “ a Neighbour they were to all *Crowned-Heads*. The
 “ King and his Ministers had here a hard Time, and
 “ lay every Day under new Obloquies. Sometimes
 “ they were represented as selling all to *France* for
 “ Money to make this War : *Portsmouth, Plymouth,*
 “ and *Hull*, were to be given into the *French* Hands
 “ for Caution. The next Days News come, that
 “ *France* and *Holland* were agreed. Then the Oblo-
 “ quy was turned from *Treachery* to *Folly* : The Mi-
 “ nisters were now *Fools*, that some Days before
 “ were Villains. And indeed the Coffee-Houses were
 “ not to be blamed for their last Apprehensions ; since
 “ if that Conjunction had taken Effect, then *England*
 “ had been in a far worse Case than it now is, and
 “ the War had been turned upon us. But both
 “ Kings knowing their Interests, resolved to join a-
 “ gainst them, who were the common Enemies to
 “ all Monarchies, and I may say especially to ours,
 “ their only Competitor for *Trade* and *Power at Sea* ;
 “ and who only stand in their way, to an *Universal*
 “ *Empire*, as great as *Rome*. This the *States* under-
 “ stood so well, and had swallowed so deep, that
 “ under all their present Distress and Danger, they
 “ are so intoxicated with that vast *Ambition*, that
 “ they slight a *Treaty*, and refuse a *Cessation*. All
 “ this you and the whole Nation saw before the last
 “ War ; but it could not then be so well *timed*, or
 “ our Alliances so well made. But you judged a-
 “ right, *That at any Rate, DELEND A EST*
 “ *CARTHAGO*, *That Government* was to be brought
 “ down. And therefore the King may well say to
 “ you, it is your War ! He took his Measures from
 “ you ; and they were *just* and *right* ones : And he
 “ expects a suitable Assistance to so necessary and
 “ expensive an Action ; which he has hitherto main-
 “ tained at his own Charge, and was unwilling ei-
 “ ther to trouble you, or burthen the Country, un-
 “ till it came to an *inevitable Necessity*. And his
 “ Majesty commands me to tell you, that unless it

1672-3. " be a *certain Sum, and speedily raised*, it can never answer the Occasion.

" *My Lords and Gentlemen,*

" *REPUTATION* is the great Support of War or Peace. This War had never begun, nor had the *States* ever slighted the King, or ever refused him Satisfaction ; neither had this War continued to this Day, or subsisted now, but that the *States* were deceived in their *Measures*, and apprehended his Majesty in that great want of Money that he must sit down under many *Affronts*, and was not able to begin or carry on a War. Nay at this Day the *States* support themselves amongst their People by this only Falsehood, *That they are assured of the Temper of England, and of the Parliament, and that you will not supply the King in this War ; and that if they can hold out till your Meeting they will have new Life, and take new Measure* There are lately taken two of their principal Agents, with their Credentials and Instructions to this Purpose, who are now in the *Tower*, and shall be proceeded against according to the Law of Nations. But the King is sufficiently assured of his People ; knows you better ; and can never doubt his Parliament. This had not been mentioned but to shew you of what Importance the *Fraudfulness* and *Seasonableness* of this Supply is, as well as the *Fulness* of it. Let me say, the King has brought the *States* to that Condition, that your hearty Conjunction at this Time in supplying his Majesty, will make them never more formidable to *Kings*, or dangerous to *England*. And if after this you suffer them to get up, let this be remembered, *The States of Holland are England's eternal enemies both by INTEREST and INCLINATION*. In the next Place to the Supply for carrying on the War, his Majesty recommends to you the taking Care of his Debts. What you gave the last Session did not near answer your own Expectation. Besides, another considerable A

“ you designed his Majesty, was unfortunately *lost* 1672-3.
 “ *in the Birth*; so that the King was forced for the
 “ carrying on his Affairs, much against his Will,
 “ to put a stop to the Payments out of the *Exche-*
 “ *quer*. He saw the Pressures upon himself, and
 “ growing Inconveniencies to his People by great In-
 “ terest; and the Difference through all his Business
 “ between *ready Money* and *Orders*. This gave the
 “ King the Necessity of that Proceeding; to make
 “ use of his own Revenue, which hath been of so
 “ great Effect in this War. But though he hath
 “ put a stop to the Trade and Gain of the Bankers,
 “ yet he would be unwilling to ruin them, and op-
 “ press so many Families as are concerned in those
 “ Debts: Besides, it were too disproportionable a
 “ Burthen upon many of his good Subjects. But
 “ neither the Bankers, nor they, have reason to
 “ complain, if you now take them into your Care,
 “ and they have paid them what was due to them,
 “ when the Stop was made, with *Six per Cent*. Inte-
 “ rest from that Time. The King is very much
 “ concerned both in *Honour* and *Interest*, to see this
 “ done, and yet he desires you not to mis-time it;
 “ but that it may have only the *second Place*, and
 “ that you will first settle what you intend about the
 “ Supply.

“ His Majesty has so fully vindicated his *Declara-*
 “ *tion* from that Calumny concerning the *Papists*,
 “ that no reasonable Scruple can be made by any
 “ good Man. He has sufficiently justified it by the
 “ *Time* it was published in, and the *Effects* he hath
 “ had from it; and might have done it more from
 “ the *Agreeableness* of it, to his own natural Disposi-
 “ tion, which no good *Englishman* can wish other than
 “ it is. He loves not Blood or rigorous Severities;
 “ but where mild or gentle Ways may be used by a
 “ wise Prince, he is certain to chuse them. The
 “ Church of *England* and all good *Protestants* have
 “ reason to rejoice in such a *Head*, and such a *De-*
 “ *fender*. His Majesty doth declare his Care and

1672-3. “ Concerns for the Church, and will maintain them
 “ in all their Rights and Privileges, equal, if not be-
 “ yond any of his Predecessors. He was born and
 “ bred up in it: It was that his Father died for: We
 “ all know how great Temptations and Offers he
 “ resisted abroad, when he was in his lowest Condi-
 “ tion; and he thinks it the Honour of his Reign
 “ *That he hath been the Restorer of the Church:* It is
 “ That he will ever maintain, and hopes to leave to
 “ Posterity in greater *Lustre*, and upon surer *Grounds*
 “ than our Ancestors ever saw it. But his Majesty
 “ is not convinced that *violent Ways* are the Interest
 “ of Religion, or the Church. There is one thing
 “ more, that I am commanded to speak to you of
 “ which is the *Jealousy* that hath been foolishly spread
 “ abroad, of the Forces that the King has raised in
 “ this War. Wherein the King hath opened himself
 “ *freely* to you, and confessed the Fault of the other
 “ Hand. For if this last Summer had not proved
 “ a Miracle of Storms and Tempests, such as se-
 “ cured the *East-India* Fleet, and protected their
 “ Sea-Coasts from a Descent, nothing but the true
 “ Reason *Want of Money*, could have justified this
 “ Defect in the Number of our Forces. It is that
 “ his Majesty is providing for against next Spring
 “ having given out Orders for the raising of Seven
 “ or Eight Regiments more of Foot, under the
 “ Command of Persons of the greatest Fortunes and
 “ Quality. And I am earnestly to recommend to
 “ you, that in your Supplies, you will take it
 “ to your Consideration this *necessary Addition*
 “ *Charges*.

“ Let me conclude; nay let us all conclude with
 “ blessing God, and the King! Let us bless God
 “ That he hath given us such a King to be the *Re-
 “ pairer* of our Breaches both in Church and State
 “ and the *Restorer of our Paths to dwell in*: That
 “ the midst of War and Misery, which rages in our
 “ neighbour Countries, *our Garners are full*, and
 “ *there is no complaining in our Streets*; and a M
 “ c

1672-3

“ can hardly know that there is a War. Let us bless
 “ God, that he hath given this King signally the
 “ Hearts of his *People*, and most particularly of his
 “ *Parliament*, who in their Affection and Loyalty to
 “ their Prince, have exceeded all their Predecessors:
 “ A *Parliament*, with whom the King hath many
 “ Years lived with all the *Careffes* of a happy Mar-
 “ riage. Has the King had a *Concern*? You have
 “ wedded it. Has his Majesty wanted *Supplies*?
 “ You have readily, chearfully, and fully provided
 “ for them. You have relied upon the *Wisdom* and
 “ *Conduſt* of his Majesty in all his Affairs; so that
 “ you have never attempted to exceed your Bounds,
 “ or to impose upon him: Whilst the King on the
 “ other Hand, hath made your *Counſels* the Founda-
 “ tions of all his Proceedings; and hath been so ten-
 “ der of you, that he hath upon his own *Revenue*
 “ and *Credit*, endeavoured to support even *foreign*
 “ *Wars*, that he might be least uneasy to you, or
 “ burthenſome to his People. And let me ſay,
 “ That though this Marriage be according to *Mofes’s*
 “ Law, where the Husband can give a *Bill of Di-*
 “ *vorce*, put her away, and take another; yet I can
 “ assure you, It is as impoſſible for the King to part
 “ with this *Parliament*, as it is for you to depart from
 “ that *Loyalty*, *Affection*, and *dutiful Behaviour*, you
 “ have hitherto ſhewn towards him. Let us bleſs
 “ the King for taking away all our *Fears*, and leaving
 “ no room for *Jealouſies*; and for thoſe *Aſſurances*,
 “ and *Promiſes* he hath made us. Let us bleſs God
 “ and the King, That our *Religion* is ſafe; that the
 “ *Church of England* is the Care of our Prince; that
 “ *Parliaments* are ſafe; and that our *Properties* and
 “ *Liberties* are ſafe. What more hath a good *Eng-*
 “ *liſhman* to ask? But that this King may long reign,
 “ and this Triple-Alliance of King, *Parliament*,
 “ and *People*, may never be diſſolved”.

I ſhall make no Reflections on this Speech, becauſe *Reflection*
 it would lead me too far; and beſides, I am per- *upon this*
 ſuaded *Speech*.

1672-3. suaded that every disinterested Reader sees the Falsity of the greatest Part of what is said in it, and the gross Artifice made use of to impose upon the Hearers. Let it be sufficient to remark, that this Speech was spoke by a Member, or rather by the Head of the Cabal, who perfectly knew the King's secret Intentions. The Earl of *Shaftsbury* therefore must have had a Forehead of Brass to pronounce such Speech before so august an Assembly. But it is very likely that this was only for Form sake, and that the Cabal were so secure of gaining their Point, as to believe that the Parliament itself would not dare to seek to know their Artifices. But they were mistaken and this very House of *Commons* had already given some Indications of Vigour and Resolution, before the King and Chancellor had delivered their Speeches. Just after they met, they had loudly complained of *Writs* issued out by the Lord Chancellor for the Electing and Returning of Persons to sit in their House in the Room of such as were dead or removed. And by the way, all Persons elected by virtue of the *Writs* were the Chancellor's Creatures. This Complaint was the Reason that the King immediately after the two Speeches told the *Commons*——“ That he had given Orders to the Lord Chancellor to send out *Writs* for the better Supply of their House having seen Precedents for it: but if any Scruple or Question did arise about it, he left it to the House to debate as soon as they could ”—— Accordingly, the very next Day the *Commons* voted those *Writs* and *Returns* irregular, and expelled the Members thus elected.

Members unduly elected turned out of the House.

Two Parties in the Parliament.

There had been in this Parliament, as in most others, two Parties, called the *Court* and *Country* Party. This was their Distinction, and it manifestly implied that the Interests of the Court were diametrically opposite to those of the People, as more commonly the Interests of one Party are to those the contrary. The Court-Party had always been uppermost, while the People were persuaded of the

good Intentions of the King and his Ministers. But in proportion as the King discovered himself by his Way of living, by broad Signs of Irreligion, by his Inclination for the Papists, by his Profusion of the publick Monies, and his Greediness of more; or lastly, by his Union with *France* and the War upon the *States*, his Party sensibly decreased for two very natural Reasons. First, a great many of those Members, who at the Beginning were of the King's Party from Inclination and a Zeal for Religion, lost this Inclination, after they were convinced that the King whom they considered as the Protector of the Church of *England*, had no longer any views for the Benefit of either Church or State. The Protections of the King had lost all their Effect, when it was once seen that his Actions corresponded so little with his Words. Secondly, for the same Reason the People, discovering that Religion and the State were in Danger, no longer returned any Members to fill the Vacancies of the House. who were not of Principles directly opposite to the Views and Interests of the Court. As Vacancies by the Death of Members could not but be very numerous in a Parliament which had sate Twelve Years, the Country-Party came by degrees to prevail, and the King and his Ministers no longer found it so easy to carry whatever they desired as in the Beginning of the Parliament. It is a Truth which admits of no Dispute, that so long as the People suspect the King of no ill Designs against Liberty and Religion, the Court-Party prevail in the Parliament, or rather there are then no different Parties. For supposing the King an exact Observer of the Laws himself, and careful to have them punctually obeyed by others, there can be no Difference between the two Parties; but with respect to the Quantity of Money granted to the King. But as the People are under Obligations to the King for his Maintenance of Order, Equity, Moderation, and Justice in the Government, they are never uneasy with the Power and Wealth heaped up-
on

1672-3.

*That of
the People
uppermost.*

1672-3. on such a King, and commonly the Country-Party if there is one in the Parliament, is far inferiour to the King's. But the Case is quite different, when the People are once prejudiced against their Sovereign and have no longer any Confidence in his Promises. For then the Court-Party is composed of Men who have only their own private Fortune in view, and is not near so numerous as that of the People which besides the publick Interest, finds likewise private Advantage in opposing the Designs of the Court. In this Case and Situation of Affairs the People usually return for Representatives Men of Ability, and such as are believed well-affected to their Country; and it is very rarely seen that the Intrigues of the Court are capable to defeat such Elections. A Proof of what I advance was seen in the Elections of the Parliament which met the 3d. of November 1640, in the Reign of Charles I, where the Country-Party was so much superiour to that of the Court. This Proof stands likewise confirmed by the Transactions of the Parliament I am now speaking of, which for Twelve Years had appeared so devoted to the King, and yet changed from one extreme to another, when they had once lost their former Confidence in the King and his Ministers. It signifies little to ascribe this Change to the Intrigues and Cabals of some particular Men who were no Friends to the Court. Particular Men could never have sufficient Influence to corrupt a whole Parliament, or the greater Part of it, if their Credit was not built upon the Mismanagement of the King and his Ministers. As we are entering upon a new Period, I believed it necessary to prepare the Reader for this Change, by letting him into the true Cause of it.

We have seen in the two Speeches of the King and the Chancellor what vast Supplies the King demanded of his Parliament. He demanded a considerable Aid for the Sea-Service; another for the Land; a Third to discharge some old Debts; a Fourth to refund the Money taken out of the *Exchequer*, and which could

not amount to less than Two Millions Two Hundred and Fifty Thousand Pounds *Sterling* for the Space of Seventeen Months. All these Sums laid together would rise at the lowest Computation to Five Millions. Though the Chancellor's Speech made but little Impression upon the *Commons*, they were desirous nevertheless to let the World see, that in demanding a Redress of Grievances, as was their Intention, they did not act from a Spirit of Passion and Revenge: Wherefore, though they were by no means convinced either of the Necessity or Justice of the War entred into by the King, they voted a Supply of Eighteen Months Assessment of Seventy Thousand Pounds *per Menssem*, which in all amounted to Twelve Hundred and Sixty Thousand Pounds, for the King's extraordinary Occasions, without specifying that it was for the Support of the War. But apprehensive that the King might prorogue them when the Money-Bill was passed, they resolved at the same time to tack this Bill and another of Grievances together.

For this Purpose, the 19th of *February*, the *Commons* presented an Address to the King, in which they told him — “ That having taken into Consideration his Declaration for Indulgence to Dissenters, they found themselves bound in Duty to inform his Majesty — *That Penal Laws in Matters Ecclesiastical cannot be suspended but by Act of Parliament* — They therefore most humbly besought his Majesty, to give such Directions, *That no Apprehensions or Jealousies, might remain in the Hearts of his faithful Subjects*”. To this Address the King sent Answer — “ That he is very much troubled That the Declaration which he put out for Ends so necessary to the Quiet of this Kingdom, especially in that Conjunction, should prove the Cause of Disquiet, and give Occasion to the questioning of his Power in Ecclesiasticks, which he finds not done in the Reigns of any of his Ancestors. That he never had Thoughts of using it. otherwise than

Address of the Commons against the Declaration for Liberty of Conscience.

The King's Answer.

1672-3. “ as it hath been intrusted in him to the Peace and
 “ Establishment of the Church of *England*, and the
 “ Ease of all his Subjects in general : Neither doth he
 “ pretend to suspend any Laws wherein the *Proper*
 “ *ties, Rights, or Liberties* of any of his Subjects are
 “ concerned, nor to alter any Thing in the esta-
 “ blished Doctrine or Discipline of the Church of
 “ *England* : But his only Design in this was to take
 “ off the Penalties inflicted by *Statutes* upon the *Dis*
 “ *senters*; and which he believed, when well con-
 “ sidered of, they themselves would not wish ex-
 “ ecuted according to the Rigour of the Law : Ne-
 “ ther hath he done this with any Thought of
 “ voiding, or precluding the Advice of his Parli-
 “ ment ; and if any *Bill* shall be offered to him
 “ which shall appear more proper to attain the ;
 “ foresaid Ends, and secure the Peace of the Church
 “ and Kingdom, when tendered in due Manner to
 “ him, *He will shew how readily he will concur in all*
 “ *Ways that shall appear for the Good of the Kin-*
 “ *dom*”.

A second
 Address
 from the
 Commons.

The *Commons*, with little Difficulty, perceived that
 the King was by no Means inclined to desist from the
 Declaration. Wherefore three Days after, they pre-
 sented another Address, in which “ They thank
 “ him for his gracious Assurances and Promises
 “ *maintaining the Religion established, and the Libert-*
 “ *ies and Properties of the People* : And they did not
 “ the least doubt, but that his Majesty had the same
 “ gracious Intentions in giving Satisfaction to his
 “ Subjects, by his Answer to their last Petition and
 “ Address : But that they found that the said An-
 “ swer was not sufficient to clear the Apprehen-
 “ sions that might justly remain in the Minds of the
 “ People, by his Majesty’s having claimed a *Power*
 “ *to suspend Penal Laws in Matters Ecclesiastical*, and
 “ which his Majesty did still seem to assert in the
 “ said Answer to be entitled in the Crown, and not
 “ questioned in any of the Reigns of his Ancestors
 “ Wherein they humbly conceived his Majesty to
 “ be

" been much misinformed, since no such Power had 1672. 2.
 " ever been claimed or exercised by any of his Ma-
 " jesty's Predecessors. And if it should be admitted,
 " might tend to the interrupting the free Course of
 " the Laws, and altering the Legislative Power,
 " which had always been acknowledged *to reside in*
 " *his Majesty, and in his two Houses of Parliament.*
 " They therefore with an unanimous Consent became
 " humble Suitors to his Majesty---That he would be
 " pleased to give them a full and satisfactory Answer
 " to their said Petition and Address, and that his Ma-
 " jesty would take such effectual Order---*That the*
 " *Proceedings in this Matter, might not for the future*
 " *be drawn into Consequence or Example."* The King's *The King's*
 Answer to this Address was---*It is of Consequence, Answer.*
and I will take it into Consideration.

At the same Time that these Addresses were ma- *Mr. Sey-*
 naging, Sir Job Charleton, Speaker of the House of *mour cho-*
 Commons being taken ill, made his humble Suit to his *sen Speak-*
 Majesty, that he might be eased of the Burden he *er of the*
 was not able longer to sustain. Edward Seymour, who *Commons.*
 was so much talked of in the Reign of William III,
 was chosen in his room.

The King and the *Cabal* were extremely mistaken *The Pres-*
 in imagining that the Declaration for Liberty of *byterians*
 Conscience, could engage the *Presbyterians* in their *upon their*
 Party, in return for so great a Favour. The *Guard.*
 Leaders of the *Presbyterians* had too much Sense to
 be taken in a Snare at once so palpable, and so dan-
 gerous. It was easy for them to see, that they were
 only the Tools designed to advance the Interests of
 the *Romish* Religion. When they reflected on the
 Hands from which they received this Favour; name-
 ly, the King, the Duke of York, and the Members
 of the *Cabal*, they could not persuade themselves
 that it flowed from any Principle of Religion or
 humanity. They saw besides so many extraordina-
 ry Steps taken, so many Invasions upon the Rights
 of the People; the *Papists* indulged in their Religi-
 on; the King making exorbitant Demands upon his
 Parli-

1672-3. Parliament ; an Army incamped at the very Gate of *London* * in the midst of Winter ; a War begun to destroy the only *Protestant* State capable to support Religion, and *Papists* in the principal Posts upon sight of all this, they were sufficiently convinced that the Suspension of the *Penal-Laws* was not for their Sake. Wherefore far from thanking the King for this pretended Favour, Alderman *Love*, one of the City Members, and a leading *Dissenter*, spoke with the greatest Resolution against the Declaration *. This Declaration for Liberty of Conscience, wrought a prodigious Change in the House of *Commons*. For that House, which had been so fiercely animated against the *Presbyterians*, seeing the Sacrifice made by them of their own Interest, and those of Religion and the Kingdom, ordered a Bill to be brought in for their Ease ; a Bill by which all Penalties ordained against them by the *Act of Uniformity* were taken off, and no other Necessity laid upon them but the taking the Oaths of *Allegiance* and *Supremacy*. This Bill was read the first Time on the fifth of *February*, and in a few Days went through the House. But the *Lords* having made some *Amendments*, which were not liked by the *Commons*, the King prorogued the Parliament before the two Houses could come to an Agreement.

A Bill prepared by the Commons in favour of the Presbyterians.

A Reflection upon the Conduct of the Commons.

This Bill, which met with no Difficulties from the *Commons*, clearly discovered their Distrust of the Designs of the Court with regard to the Declaration for Liberty of Conscience, since by it all Pretence was taken away of confounding the *Presbyterians* with the other Sects of *Non-Conformists*. So long as the House of *Commons* had no Suspicion of the King's inclination to the *Papists*, they had affected to rank all the *Non-Conformists* under one Class, in order to have't

Presb

* On *Black-Heath*.

* He declared, He had much rather still go without their desired Liberty, than have it in a Way that would prove so detrimental to the Nation.

Presbyterians included in the Statutes made against *Non-Conformists* in general. But when it was perceived that the King made use of this *Confusion* to favour the *Papists*, the *Commons* then were willing to own that the several Sects ought to be distinguished; and rather than give up Religion to the Intrigues and Artifices of the Court and the *Papists*, they resolved to ease the *Presbyterians*. In this they discovered a true and hearty Zeal for the *Protestant* Religion in general, which they knew was not in so much danger from the Attacks of *Presbyterians* as of *Papists*. But it was not on this Occasion only that they shewed their Firmness to the *Protestant* Religion. At the very Time that they were employed in the *Bill* for the Ease of the *Presbyterians*, another was brought in to enjoin frequent Catechising in the Parochial Churches for the Instruction of Youth, intimating thereby, how necessary this Precaution was in that Conjuncture. But this *Bill*, as well as the other, was rendered abortive by the Prorogation of the Parliament.

Nothing is a surer Indication of what the Parliament thought of the Designs of the Court in favour of the *Papists*, than the Address presented by both Houses to the King on this Subject, much about the same time. This Address contained first Complaints upon the Growth of *Popery*, upon the great Number of *Romish* Priests and Jesuits, upon the Admission of so many *Recusants* into Places of Trust, particularly in the Army. After this, the two Houses desired, “ 1. That his Majesty would be pleased to issue out his Royal Proclamation to command all Priests and Jesuits (with Exception of those in Attendance upon the Queen, not Natural-born Subjects) to depart within thirty Days out of the Kingdom: And that his Majesty would be pleased in the same Proclamation to command all Judges and other Officers to put the Laws in Execution against all such Priests and Jesuits as should be found in the Kingdom after that time.

Address
from the
Parliament
against the
Papists.

1672-3. “ 2. That his Majesty would be pleased likewise to
 “ issue out Commissions to tender the Oaths of *Al-*
 “ *legiance* and *Supremacy* to all Officers and Soldier
 “ now in his Service and Pay, and that such as re-
 “ fused the said Oaths might be immediately dis-
 “ banded. 3. That the Commissaries of the Mus-
 “ ters be commanded and enjoined by his Majesty’s
 “ Warrant, upon the Penalty of losing their Place:
 “ not to permit any Officer to be mustered in the
 “ Service and Pay of his Majesty, until he hath ta-
 “ ken the Oaths of *Allegiance* and *Supremacy*, and re-
 “ ceived the *Sacrament* of the *Lords’s-Supper* accord-
 “ ing to the Usage of the Church of *England*; and
 “ that every Soldier should take the said Oaths be-
 “ fore his first Muster, and receive the *Sacrament* in

*A Procla-
 mation up-
 on it.*

“ like Manner before his second Muster.” Upon
 this Address the King published a Proclamation in
 the usual Stile, the Seventh of that kind, by which
 (after a Declaration, that as he had always adhere
 to the Church of *England* against all Temptation
 whatsoever, he was resolved in like Manner to main-
 tain and defend it) he strictly commanded all *Jesuits*
 and *Romish Priests* to depart the Kingdom, and the
 Laws to be put in due Execution against all *Popish*
Recusants, or justly suspected to be so, &c. This
 Proclamation was not satisfactory to the *Commons*
 as it extended to only one single Article of their De-
 mands, and said not a Word of the Removal of *Po-*
pists from Publick Employments. This set them to work
 upon a new *Bill* in order to obtain their End; and
 they were bent not to finish the Money-Bill till they
 had obtained a Redress of their Grievances, and par-
 ticularly a Revocation of the Declaration for Liberty
 of Conscience.

*The King
 in great
 Difficul-
 ties.*

The King had never been in so great Perplexity
 since his Restoration. The *Cabal* had promised to
 make him absolute; but after all suggested no other
 Means to him than the using of Force, at great
 Hazards. He had hoped to attain his Aim by de-
 grees, first gaining one Point, then another, till he

should

should see himself at length in a State to trample on the Necks of all his Opposers. He had moreover expected great Matters from the Assistance of *France* after the Destruction of the Common-wealth of *Holland*. But he had preposterously imagined that he should have Time to form all his Measures, and be able to support his Design when ever he should be opposed. Perhaps too, he had flattered himself with the easy Condescension of this Parliament, which had always been so indulgent to him. But as the Parliament went to work, the Time was come that the King must either give way to the Proceedings of the *Commons*, or break with the Parliament. In this last Case, he had too much Sense to perswade himself that a Handful of *Papists*, backed by a few flattering Courtiers and Ministers, would be able to support him at a Time when he could hope for no Assistance from *France*, and when the Male-contents might be aided by a *Dutch* Fleet. Besides, his *Exchequer* was empty : And therefore to raise Money he must have applied to his Subjects by Means of his Army : For he well knew that if he had not wherewith to content those who should come over to his Party, he would find it very difficult to engage them in the Ruin of their Country. But this Army was *Protestant*, excepting a few *Papish* Officers and Soldiers. The Sailors likewise, both Officers and common Men were *Protestants*. It was therefore unnatural to expect to engage such a Fleet and Army in his Designs, so contrary to their Religious and Civil Liberties. Lastly, he considered that these very Ministers and Courtiers would desert him, as had happened to the King his Father, when he should be no longer able to protect them. In a Word, it was not yet Time to think of the Execution of a Project of this Nature, for which he was yet unprovided, and nevertheless by the Parliament's last Address, was brought to an absolute Necessity of either actually executing or desisting from it. His Honour seemed engaged to support the Declaration for Liberty of

1672-3. Conscience; for he had told the Parliament that he would never depart from it, and his Inclination led him to favour the *Papists*, whose Religion he had secretly embraced. He found himself moreover obliged not to deliver up his Ministers to the Resentment of the Parliament, who, in giving him the Advice, had depended upon his Protection. But the Point of Honour was not capable to ballance the Difficulties with which he saw his Design would be attended, if he persisted in the Execution thereof. On the other Hand his Council was divided on the Occasion; the Duke of *Ormond* and the Earl of *Arlington* advised him to wait a more favourable Opportunity; but the Duke of *York*, and the rest of the *Cabal*, were for having him pull off the Mask and support his Declaration. They represented that his Father's Ruin was owing to his consenting to the first Demands of the Parliament of the Year 1640 that these Demands grew daily upon him, and at last left him nothing to grant without undoing himself. That the Consequence would be the same now, as that after all his Condescension to the Parliament, he would see himself reduced to the Necessity of breaking with them at last, and so his Compliance would only serve to make them the bolder. These Reasons were easy to answer, by saying that sufficient Forces were wanting to support a War. To which was replied by the King's Friends, that his holding his Resolution a few Days would bring the Parliament to Reason, his Majesty having a Party among the which began to make the Leaders waver; and that there were Forces sufficient on Foot to support the one side, and intimidate the other. It is pretended that the Earl of *Shaftsbury* was willing to answer for the Success of this Advice with his Head. So much said on both Sides was very capable to hold the King in suspense. It is believed that the Ladies engaged in this Affair, and fearing to lose their present Enjoyments, by a Rupture, warmly solicited the King to recall his Declaration.

His Council divided.

He recalls his Declaration.

King after he had hesitated some Time, called for the Declaration, and broke the Seal with his own Hands. 1672-3.

The 8th of *March* the King came to the Parliament, and after he had pressed the Commons very earnestly to dispatch the Money-Bill, he said to the two Houses---*If there be any Scruple yet remaining with you touching the suspension of the Penal-Laws, I here faithfully promise you that what hath been done in that Particular shall not for the future be drawn into Example and Consequence; and as I daily expect from you a Bill for my Supply, so I assure you I shall as willingly receive and pass any other you shall offer me, that may tend to the giving you Satisfaction in all your just Grievances.* *The King's Speech to the Parliament.*

This Speech was so agreeable to the Parliament, *It thanked for it by both Houses.* that both Houses went in a Body to thank the King for so full and satisfactory an Answer.

But if the two Houses were pleased, it was far otherwise with the Cabal. They had formed a Project, and prepared a Plan to render the King absolute. Nay, they had taken some Steps towards the Execution. This Plan had never been formed, had it not been supposed that the King would have Firmness and Resolution to withstand the Complaints of the Parliament: For the Projectors could never think that the Parliament would leave the Liberties of the People to be invaded without making an Opposition. Their whole Hope therefore was built upon the Firmness and Resolution of the King: They were to engage in a Contest in which they flattered themselves to render the King Victorious. But they saw, to their great Astonishment, the King making his Retreat, when he should have prepared for Battle, and consequently all Hopes of Victory vanishing with him. But their Fears were not yet over; they were in danger of being given up by the King, after this first Step, to the Resentment of the two Houses: For how could they rely on the Protection of a King,

1671-3. King, who gave such manifest Marks of his Fears?

Shafts-
bury turns to
the Coun-
try Party.

I have already said that the Earl of *Arlington* in some Measure, gone off from the *Cabal* by his Advice to the King to revoke his Declaration for Liberty of Conscience. The Earl of *Shaftsbury* followed him, but in a Manner more surprizingly more publick, and with more remarkable Circumstances. As soon as he saw that the King had Resolution enough to execute the great Design which had been projected, he thought it but Just to desert a Prince who deserted his own Interest, and left Counsellors exposed to Danger. This was the second Time that the Earl had experienced the King's Inconstancy and want of Resolution. This Advice of the Declaration was common to him with the other Members of the *Cabal*. But the *Writs* issued out of Chancery for the Election of Members to supply the Vacancies in Parliament were purely his own work. He had undertaken to issue out these *Writs* as Chancellor, on pretence of some Precedents which were never known to any Body, and on the King's positive Promise to stand by him; and yet he was deserted by the King at the first Instance of Complaint to him. The Affair was nevertheless of very bad Consequence. For if the Crown could have issued out *Writs* for filling the Vacancies in Parliament, it would have been very easy for the Ministers to have had such Members returned as they pleased, as it fell out on this first Occasion, viz. all those that were chosen were Creatures of Court. Father *Orleans*, who received his Informations of the *English* Affairs from the Mouth of King *James II*, affirms positively, as one that cannot be mistaken when he follows such a Guide,—"That the antient Custom, after the Death of a Member, was for the Chancellor to issue a *Writ* under the Great-Seal for the Election of another." And though the *Writ* contained nothing which

Father
Orleans
refuted.

“ could prejudice the freedom of Elections, yet the
 “ King might find Means to prevent any Member
 “ from being chosen who was against him. That
 “ this Custom had been changed during the Troubles
 “ in the last Reign, when the *Commons* had assumed
 “ the Power of issuing the *Writs* by their Speaker,
 “ and had been suffered to continue in possession of
 “ this usurped Privilege since the King’s Restora-
 “ tion, from the Weakness or Ignorance of the pre-
 “ ceeding Chancellors.”---But this is a groundless Af-
 sertion, as appears from the Words of the King
 himself to both Houses at the Beginning of this Ses-
 sion--- “ *That he had given Order to the Lord-Chancel-*
 “ *lor to send out Writs for the better supply of their*
 “ *House, having seen Precedents for it.*”---Had this
 been a Right inherent in the Crown, and first inva-
 ded by the *Commons* about thirty Years before, du-
 ring the Troubles of the last Reign, would the
 King have said only, *that he had only seen some Prece-*
dents? This Remark is only to let the Reader see
 with what Caution he is to read the History of Fa-
 ther *Orleans*, though it was dictated by King *James*
 himself.

The Earl of *Shaftsbury* then stood more exposed
 to the Resentment of the *Commons*, than any of the
 Members of the *Cabal*, not only for pernicious Coun-
 sels given the King in Conjunction with his Collegues,
 the Secret whereof was not yet known, but chiefly
 by reason of the *Writs* issued by him as Chancellor,
 so destructive of their Rights and Privileges. He
 had therefore Reason to fear a rigorous Prosecution
 for this Fact, and the Party opposite to the Court
 had already framed an Accusation against him. On
 the other Hand, the Weakness he had discovered in
 the King gave him no hopes of a Protection from
 thence. He believed therefore that no other Way
 was left to divert the impending Storm, than by quit-
 ting the King’s Party, and throwing himself into the
 contrary, “ He executed this Resolution, says Father
 “ *Orleans*, the Day after the King had resolved to
 “ revoke the People,

The Earl
 of Shaft-
 sbury
 throws
 himself
 into the
 Party of
 the People.

1672-3. “ revoke his Declaration for Liberty of Conscience
 “ It was eleven at Night before the King had taken
 “ his last Resolution, and the next Morning the
 “ of *Shaftsbury* appeared in the House of Lords
 “ the Head of the Party, most violently bent against
 “ the Catholick Religion, the *Dutch War*, and
 “ Union with *France*.” He did more, if *Father*
leans is to be credited,----for in a full House he
 covered the Reasons which had induced the King to
 grant Liberty of Conscience, unite himself with *France*
 and declare War against the *States*. I make no doubt
 of his discovering this Secret to the Party which
 was come over to ; but I must have better Evidence
 than that of *Father Orleans* before I can believe
 this Discovery was made publickly in a full House
 and on this very Occasion, especially before the
 King and Duke of *York*, who were present in the House
 that very Morning. This would have been an Affront
 to the King in Form against the King, the Duke of
 and the four Members of the *Cabal*, of which
 could have given no Proofs if he had been called
 on for them. He had too much Sense to expose
 self to so evident a Danger. The Reason of his
 declaring publickly against the King on the Day
 speaking of, was this.

*The Earl
 of Shaftsbury
 declares publickly
 against the
 King.*

The Lord-Treasurer *Clifford*, ignorant of *Shaftsbury*'s Intentions, paid him a Visit the Night before
 and communicating to him a Project of his own
 establishing a perpetual Fund to free the King
 his Dependence on the Parliament, he read to him
 Speech prepared to be spoken the next Day for
 introducing this Project in the House of Lords.
Earl of Shaftsbury appeared mightily pleased with
 Speech, and desired to hear it again. The next
 the King and Duke of *York* coming to the House
 countenance this Project with their Presence,
 Lord *Clifford* spoke his Speech. He had no more
 done, than the Earl of *Shaftsbury* stood up, and
 answered his Speech from the Beginning to the End.
 He demonstrated this Project to be extravagant
 impracticable

impracticable ; that it would overturn the Government, and perhaps send the King and Royal Family to spend the Remainder of their Days in a hopeless Exile. If the Treasurer's Speech surprized the Lords who very well understood the Intent of it, their Astonishment was increased when they saw the Chancellor, a leading Member of the *Cabal*, declare so openly against the King. It is said, that the Duke of York, whilst *Shaftsbury* was speaking, whispered the King, and said, *What a Rogue have you of a Lord-Chancellor !* And that the King replied — *What a Fool have you of a Lord-Treasurer !* I know not whether the Truth of these Particulars is to be relied on, some of which are not so much as probable. For what Likelihood is there that the King after he had broke the Seal of his Declaration with his own Hands, for fear of the Parliament, should appear within a few Hours afterwards in the House of Lords, to support, by his Presence, the Project of the Treasurer, which tended to the overthrow of all Parliaments ? Or that he should reflect on the Treasurer as a Fool, for a Proposal which himself could not be ignorant of, and had doubtless approved ? *

However

* This Business of *Shaftsbury's* turning against the Court, is thus related by *Burnes*. The Lord *Clifford* resolving to assert the Declaration for Liberty of Conscience, showed the Heads he intended to speak on to the King, who approved of them. He began the Debate with rough Words, calling the Vote of the *Commons*, *Monstrum horrendum ingens*, and run on in an high Strain. When he had done, the Earl of *Shaftsbury*, to the Amazement of the whole House, said, he must differ from the Lord that spoke last, *1670 Cale*. He said, while these Matters were debated out of Doors, he might think with others, that the King's *Supremacy* did warrant the Declaration : But now that such a House of *Commons* were of another Mind, he submitted his Reasons to theirs. They were the King's Great Council, and must both advise and support him. The King was all in Fury to be thus forsaken by his Chancellor, and told the Lord *Clifford* how well he was pleased with his Speech, and how highly offended with the other. The Debate went on, and upon a Division the Court had the Majority. But above thirty of the most considerable of the House protested against the Vote.

So

1672-3. However this be, the Earl of *Shaftsbury* from this Time appeared always in the Head of the Country Party, and was a Means of causing the King to undergo very grievous Mortifications, as we shall see hereafter. But I must give here a very material Caution to those who read the History of Father *Orleans*, or such *English* or Foreign Authors as espouse the King's Side: All these Writers represent the Earl of *Shaftsbury* in very bad Colours. He was, according to them, the greatest Villain that ever was; his Wickedness was answerable to the Extent of his Genius, and the Depth of his Penetration. He was perpetually contriving how to torment the King and Duke of *York*, or rather to ruin them past Redemption. He was not only the Head of his Party, but the very Soul which actuated and moved the whole. In

So the Court saw they gained nothing in carrying a Vote that drew after it such a Protestation. It seems *Clifford*, *Buckingham*, and *Lauderdale* were for violent Measures, whilst *Arlington* and *Shaftsbury* pressed the King to content the Parliament. Accordingly, in the Afternoon of the Day that the Matter had been argued in the House of Lords, *Shaftsbury* and *Arlington* got all those Members of the *Commons* who were in the Court-Party, to go privately to the King one after another, and tell him, that upon *Clifford's* Speech the House was in such Fury, that probably they would have gone to Impeachments, had it not been for *Shaftsbury's* speaking on the other Side, who, they believed, spoke the King's Sense as the other did the Duke's. So they made the King apprehend, the Chancellor's Speech, with which he was so offended, was really a great Service done him, and persuaded him farther, that he might now save himself and obtain an Indemnity for his Ministers, if he would part with the Declaration, and pass the *Bill*. Whereupon before Night the King was quite changed, and said to his Brother, that *Clifford* had undone himself, and spoiled all by his Speech; and though *Shaftsbury* had spoke like a Rogue, yet that had stopt a Fury which the other's Indiscretion had kindled. The Duke in the Evening told *Clifford* what the King said. Upon which *Clifford* went to the King, and said, he thought that in what he had done he had both served and pleased the King, but was surprized to find by the Duke, that the King was of another Mind. The King in some Confusion, owned that all he had said was right in itself, but he should have considered better what the *Commons* could bear. *Clifford* finding he must lose the White Staff, consulted with *Buckingham* whom to recommend for Treasurer, and they pitched upon Sir *Thomas Osborn* afterwards Duke of *Leeds*. P. 348, &c.

In short, every Thing afterwards done by the Parliament against the King, is imputed to him; and it is artfully insinuated, that had it not been for such an Agent the Nation would have enjoyed a lasting Calm, and the Parliament contented with the King's favourable Answers, and gracious Promises, would have sat still, and attempted nothing against the Court. Thus, according to these Writers, all the Measures taken, all the Precautions afterwards made use of by the Parliament against the Designs of the Court, were solely owing to the Malice and Revenge of the Earl of *Shaftsbury*. It is easy to see that their Design is to lessen the Occasions of the Parliament's Fear and Complaint of the Conduct of the Court, by insinuating that they were frivolous, and the meer Effects of *Shaftsbury's* Vengeance, who, they tell you, directed both Houses of Parliament, or rather had them entirely at command. For my Part I am no way concerned to vindicate the Honour of the Earl of *Shaftsbury*, but believe my self obliged to remark, for the helping my Reader to the Discovery of the Truth, that the Project of the *Cabal* to render the King absolute, and introduce Popery is of unquestionable Certainty. The Authors now mentioned make no Scruple of owning this, and should they not own it the Thing would be no less true. Consequently the Parliament coming to a full and exact Knowledge of this Design, which was only suspected before, had all the Reason in the World for their Fears and Cautions against the King and his Ministers. Let this be granted, and the Thing will be the same, whether the Earl of *Shaftsbury* was a Villain, or an honest Man; whether he betrayed the King's Secrets, and acted only by a Spirit of Revenge; whether his Fear of the Parliament was the sole Motive of his embracing the Country-Party against the King, or whether he was led to it from a Principle of Honour and Duty, in order to save the Church and State. The good and bad Qualities of the Earl of *Shaftsbury* did not cause the Parliament to have more or less Reason to fear the

1672-4. the Designs of the King and his Ministers. If they were prejudicial to Religion and the State, as is not to be denied, the Parliament had reason to take the best Measures for preventing the Execution. Why therefore are these Measures, these Precautions, ascribed to the Malice and Artifices of the Earl of *Shaftsbury*, since there was another and more natural Cause. Before ever the Earl of *Shaftsbury* appeared in the Party, contrary to the Court, the Parliament had begun to take these Precautions, though they only suspected the Court's Designs; they were more fully informed by the Earl of *Shaftsbury*, and why should it be supposed that the Parliament after this Information, threw up at once the Motives on which they had already acted only to serve as Instruments of *Shaftsbury*'s private Revenge? This has not the least Shadow of Probability, and yet the Authors above-mentioned lose no Opportunity of reproaching the Earl of *Shaftsbury*, and ascribing solely to him all the Mortifications which the King afterwards met with. Besides the Benefit proposed to my Reader from what I have said, my Design is to hinder such as have read, or shall read the other Historians, from thinking it strange that I do not every Moment exclaim against the Earl of *Shaftsbury*'s Conduct, as if he were the sole Author of whatever was done against the King; and that I content my self with saying once for all, that this Lord used all his Interest and Credit to break the Measures of the King and his Ministers.

*The Test
Act passes
the Com-
mons.*

Immediately after this Change in the Earl of *Shaftsbury*, the House of Commons passed a Bill which was afterwards called the *Test-Act*, intituled, *An Act to prevent the Danger which may happen from Popish Recusants*. This *Act* required, that all Persons enjoying any Office or Place of Trust or Profit, should take the Oaths of *Allegiance* or *Supremacy* in publick and open Court, and should also receive the *Communion* in some Parish-Church, immediately after *Divine Service*; and deliver into Court a *Certificate* signed

ed by the Ministers and Church-Wardens, attested by the Oaths of two credible Witnesses, and this Certificate to be put upon Record: And that all Persons taking the said Oaths of *Allegiance* and *Supremacy* should likewise make and subscribe this following Declaration—*I do declare that I do believe there is not any Transubstantiation in the Sacrament of the Lord's Supper, at or after the Consecration thereof by any Person whatsoever.*—This Bill went readily through the House of Commons, and after some Difficulties, had likewise the Lord's Approbation. The Earl of *Bristol*, though a Papist, made a Speech on this Occasion, and concluded with saying,—That as a Catholick his Conscience would oblige him to give his Vote against this Bill, but that as a Member of a Protestant Parliament, his Advice could not but prudentially go along with the main Scope of it, the present Circumstances of Time and Affairs considered; and the Necessity of composing the disturbed Minds of the People.

Besides this Bill there was another in Hand to prevent Intermarriages between Protestants and Papists. This tended directly to break the Negotiation then on Foot for the Marriage of the Duke of York with an Archduchess of *Inspruck*, and to hinder him from marrying with any other Catholick Princess. The King all this while was very uneasy, as he saw that the Parliament was acquainted with his secret Resolutions, and taking the most effectual Measures to prevent their Execution. He was therefore the more pressing with the Commons for the Dispatch of the Money-Bill. But instead of satisfying him, the Commons after having provided for the Security of Religion, presented to him two Addresses concerning Grievances, one relating to *England*, the other to *Ireland*.

In the first, they told the King,—That they were firmly perswaded of his Intention to govern according to the Laws and Customs of the Kingdom. Yet finding that some Abuses and Grievances had crept into the Government, they humbly craved leave to represent them to his Majesty's Knowledge, and to desire,

“ 1. That

Another Bill to prevent the Duke of York's marrying with a Popish Princess.

To Petitions relating to Grievances.

1672-3.

“ 1. That the Imposition of Twelve-pence *per Chal-*
 “ *dron upon Coals, for providing of Convoys by Vir-*
 “ *tue of an Order of Council, dated the 15th of May*
 “ *1672 may be recalled, and all Bonds, taken by*
 “ *Virtue thereof, cancelled.* 2. That his Majesty’s
 “ *Proclamation of the 4th of December 1672, For*
 “ *preventing Disorders which may be committed by Sol-*
 “ *diers, and whereby the Soldiers now in his Majes-*
 “ *ty’s Service are in a manner exempted from the*
 “ *ordinary Course of Justice, may likewise be re-*
 “ *called.* 3. And whereas great Complaints have
 “ *been made out of several Parts of the Kingdom, of*
 “ *divers Abuses committed in quartering of Soldiers, that*
 “ *his Majesty would be pleased to give Orders to re-*
 “ *dress those Abuses, and in particular, that no Sol-*
 “ *diers be hereafter quartered in any private Houses,*
 “ *and that due Satisfaction may be given to the Inn-*
 “ *keepers and Victuallers where they lye, before they*
 “ *remove.* 4. And since the Continuance of Soldiers
 “ *in this Realm, will necessarily produce many In-*
 “ *conveniencies to his Majesty’s Subjects, they hum-*
 “ *bly represented it as their Petition and Advice,*
 “ *that when this present War is ended, all the Sol-*
 “ *diers that have been raised since the last Session of*
 “ *Parliament may be disbanded.* 5. That his Ma-
 “ *jesty would likewise be pleased to consider of the*
 “ *Irregularities and Abuses in pressing Soldiers, and*
 “ *give Orders for the Prevention thereof for the fu-*
 “ *ture.”* These Demands show how by Degrees the
 Court was introducing an absolute Authority: First,
 by a light Imposition, by Virtue of an Order of
 Council, of Twelve-pence upon every Chaldron, or
 Thirty-six Bushels of Coals. The Tax was inconsiderable, but the Consequence otherwise. Secondly,
 the Magistrates in assuming the Power of quartering
 Soldiers in private Houses, easily found an Opportunity to gall and oppress their Enemies, and such as
 were not well inclined to the Court. Thirdly, in
 pressing Soldiers, the Officers had room to commit
 many Acts of Injustice, by inrolling not the most
 proper

proper Men for Service, but the Rich who were able to redeem themselves with Money. Though this Practice of pressing had been much used with regard to Sailors, and continues to this Day, it had never extended to Land-Soldiers, or at least but on very extraordinary Occasions. 1672-3.

The Petition relating to the *Irish* Grievances contained sundry Articles, which chiefly concerned Religion. In one of these the *Commons* desired his Majesty that he would be pleased to deprive of all Employments Civil or Military Colonel *Richard Talbot*, who publickly took upon him the Title of *Agent for the Roman-Catholicks in Ireland*, and forbid him all Access to his Person. This *Talbot* was afterwards created Duke of *Tyrconnel*, and Lieutenant of *Ireland* by *James II.*

The King replied to these Addresses that they consisted of so many different Articles, that it could not be expected he should give an immediate Answer. But promised, that for the several particular Things contained in them, he would before the next Meeting take such effectual Care, that no Man should have reason to complain. After this the Money-Bill passed without any Opposition. But, to shew a tacit Dislike of the War for which this Money was intended, the Bill was intituled, *A Supply of his Majesty's extraordinary Occasions*, and a particular Proviso was tacked to it, *That no Papist should be capable of holding any publick Employment.* *The King's Answer.* *Money-Bill passed.*

Before the Bill in favour of *Protestant-Dissenters* and some others were ready, the King came to the Parliament the 29th of *March*, and passed several Acts, amongst which were the Money-Bill, the *Test-Act*, and an Act for a general and free Pardon, but clogged with many Exceptions. Then he adjourned the Parliament to the 20th of *October*. If the King in his Declaration for Liberty of Conscience had intended the Ease of the *Protestant-Non-conformists*, as he would have had it believed, he might have deferred the Adjournment of the Parliament a few Days. 1673. *Acts passed.* *The Parliament adjourned.*

1673. Days longer, till the *Bill* passed in their favour could have been ready, or at least might have pressed the two Houses to give it an immediate Dispatch. But as the *Papists* were excluded from the Benefit of this *Act*, he no longer shewed any Concern for the Interest of the *Presbyterians*, but adjourned the Parliament before the Lords had given their Consent to the *Bill*.

The Bill
in favour
of the Pres-
byterians
postponed.

The Duke
of York
and Lord
Clifford
resign
their Pla-
ces.

Lord Clif-
ford dies.

The Test-Act having received the Royal-Assent, the greatest Part of the *Catholick* Officers threw up their Employ. The Duke of York himself resigned the Post of Lord High-Admiral, though the Profits of it were so immense *, and the Lord Clifford delivered up the Treasurer's Staff. He retired to his Paternal Estate in the County of *Devonshire*, where he died shortly after.

Prince Ru-
pert Com-
mander of
the Eng-
lish Fleet;

joins the
French.

While these Things were in Agitation in the *Eng-lish* Parliament, the Preparations for Sea were carrying on in *England* and *Holland* with equal Ardour and vast Expence. The Duke of York having resigned his Office of Lord High-Admiral, Prince Rupert was appointed to command the Fleet. Ruyter having secret Intelligence that the *English* Fleet would not be ready so soon, put to Sea with Forty-two Sail of Men of War, and Sixteen other Vessels, in order to sink them in the *Thames*. He came into the Mouth of the River the 2d of May, where he found he had been misinformed. Forty-five large Ships being in readiness, and hastning to attack him. Thus missing his Aim, he retired to wait the Arrival of the rest of his Fleet at *Schonevelt* in *Zealand*. In this Interval Prince Rupert failed to meet the *French* Fleet coming from *Brest*, and joined them in the *Channel* the 15th of May. This Junction made the combined Fleets One Hundred and Forty Sail of all Sizes, of which that of *France* furnished Thirty large Ships.

The

* *Burnet* says, when the Duke carried all his Commissions to the King, he wept as he delivered them up, but the King showed no Concern at all. p. 352.

The *Dutch* Fleet had only a Hundred and Nine Sail in all, that is to say, Fifty-four large Ships, Fourteen Frigates, Twenty-four Fireships, Eleven Advice-Boats, and Six Galliot. As I am not sufficiently versed in marine Affairs to give any clear Account of Sea-Engagements, I shall content my self with saying, that this Year was signalized by three naval Engagements fought with such equal Courage and Fury, that neither of the Fleets could with any Justice boast of Victory, though both challenged it in every Battle. The first Battle was fought near *Schonevelt* the 28th of May. The second off of *Flushing* the 14th of June, but this was rather a Cannonading of about four Hours, when both Sides retired to their respective Coasts. The third Battle fought the 11th of August was the most obstinate of the Three. The *English* lost Vice-Admiral *Spragg*, who was drowned in changing his Ship; and the *Dutch* Vice-Admiral *Sweers*. The Loss of great Ships in these three Engagements was inconsiderable; but on both Sides a great many small ones were either burnt or sunk. In a Word, nothing decisive happened upon the Sea this Campaign, and therefore I need not to be more particular in the Recital.

Three Engagements at Sea distinguished with no considerable Advantage to either Side.

As to what passed at Land between *France* and the States, I shall only say in two Words, that the King of *France* took *Maastricht* in the Month of June, and the Prince of *Orange* *Naerden*, a Town near *Amsterdam*, in September. He afterwards took *Bonne*, the Residence of the Elector of *Cologne* in October. These two Conquests, and the Necessity upon the King of *France* to turn his Eyes towards *Spain* and *Germany*, (the first having declared against him, and the last with the Emperour, at the Head of several Princes of the Empire being upon the Point of declaring,) obliged him at last to abandon all his Conquests in the *United-Provinces* except *Maastricht* and *Grave*, where he left Garrisons, after having drawn out all the rest in the Month of November.

Successes of Lewis and the Prince of Orange.

Lewis abandons his Conquests.

1673.

Congress
at Co-
logne for
Peace
comes to
nothing.
Sir Tho-
mas Os-
borne con-
stituted
Lord High
Treasurer.
The Duke
of York
marries
the Prin-
cess of
Modena.

In the mean Time a Congress was held at *Cologne* for a Treaty of Peace ; but with no Success.

The 19th of *June* the King, at the Recommendation of the Duke of *Buckingham*, made Sir *Thomas Osborne* Lord High-Treasurer, who was afterwards Earl of *Danby*.

I have already said that the Duke of *York* had cast his Eyes upon an Archduchess of *Inspruck*, a Branch of the House of *Austria*. But the Empress happening to die at that time, the Emperour married this Princess himself. The Duke was therefore obliged to look out elsewhere, and as his Zeal for the *Papish* Religion allowed him not to marry a *Protestant* Princess, he made Choice of *Mary* Sister to *Francis* Duke of *Modena*, and a Marriage was immediately concluded and solemnized by the Earl of *Peterborough* his Proxy. The King of *France* contributed very much to the Marriage, by declaring the young Princess, then only Fifteen Years of Age, an Adoptive Daughter of *France*, and engaging to pay her Portion.

As the Marriage of the Duke with a *Catholic* Princess could not but be very disagreeable to the *English*, the Court easily foresaw that the Parliament, which was to meet the 20th of *October*, would use their utmost Endeavours to oppose it. There were several *Bills* in such readiness, that they might have been finished in few Days ; and as the Parliament was only adjourned, the Court feared they would begin with perfecting these *Bills*, two of which they were desirous to put a stop to, viz. the Bill to forbid Inter-Marriages between *Protestants* and *Papists*, and that for the Ease of the *Protestant Dissenters*. The King therefore readily came to the Resolution of proroguing the Parliament. The first Thing done by the *Commons*, after they met, was the presenting an Address to the King, to desire he would prevent the Consummation of the Duke's Marriage with the Princess of *Modena*, or with any other Princess who was

The Com-
mons Ad-
dress a
gainst the
Duke's
Marriage.

not a *Protestant*. Upon this the King prorogued the Parliament to the 27th of this same Month, to frustrate by this means the two *Bills* above-mentioned, and some others not more agreeable to him. 1693.
The Parliament prorogued.

The 27th of *October* the King coming to the Parliament with the usual Formalities, made a Speech to both Houses, in which he told them——“ That *The King's Speech to the Parliament.*
“ having contented that a Peace should be negotiated
“ at *Cologne*, he hoped to have welcomed them with
“ the News of its Conclusion ; but the *Dutch* had
“ disappointed him in that Expectation, and treated
“ his Ambassadors at *Cologne* with the Contempt of
“ Conquerors, and not as might have been expected
“ from Men in their Condition. That this obliged
“ him to move them again for a Supply, the Safety
“ and Honour of the Nation necessarily requiring it ;
“ that it must be proportionable to the Occasion, and
“ if he had it not speedily, the Mischief would be
“ irreparable in his Preparations for the next Spring”
—— He told them, “ That he was steady in main-
“ taining all the Professions and Promises made to
“ them concerning Religion and Property ; and
“ should be very ready to give them fresh Instances
“ of his Zeal for preserving the established Religion
“ and Laws, as often as any Occasion should require.
“ In the last Place he commended to their Consideration and Care the Debt he owed the *Goldsmiths*,
“ in which very many other of his good Subjects
“ were involved.”

This Debt of the *Goldsmiths* was that contracted by the King when he shut up the *Exchequer*, which rose to more than Two Millions *Sterling*. Thus the King after a Seizure of other Men's Property by a pure Act of Authority, pretended that it belonged to the Parliament to make Reparation, on account of the Application of the Money so seized, to a War which he had entered into without vouchsafing to communicate the Design to them. This was the hardest Case that had happened in *England* of a long while.

1673. For on one Hand, it was a melancholy Thing to see so many Families ruined in support of an Expence which the whole Nation ought to have bore in common. But on the other Hand, the Discharge of this Debt was the way to establish a Precedent of a terrible Consequence, and put it in the Power of the King, and his Successors to employ the same or the like Methods for the raising of Money, without the Consent of Parliament. As to the Sum of Twelve Hundred and Sixty Thousand Pounds granted the King for his extraordinary Occasions in the last Session, he believed none of it ought to go towards the Discharge of this Debt, nor even the Maintenance of the War against the *Dutch*, since a new Supply was demanded for that.

After the King had done speaking, the Chancellor enlarged with great Eloquence upon the Points touched at by the King: But his Speech made but little Impression upon the *Commons*. They were no sooner returned to their House, than instead of voting the King Thanks for his Speech, they adjourned themselves till the 30th of the Month. The same Day the King sent them in Writing his Answer to their Address concerning the Duke of *York's* Marriage. The Substance of this Answer was — “ That he perceived the House of *Commons* had wanted a full Information of this Matter, the Marriage not being barely intended, but compleated according to the Forms used amongst Princes, and by his Royal Consent and Authority : Nor could he in the least suppose it disagreeable to the House of *Commons*, his Royal Highness having been in the View of the World for several Months, engaged in a Treaty of Marriage with another *Catholick* Princess, and yet a Parliament held during the Time, and not the least Exception taken at it.” The House was by no means pleased with this Answer ; and therefore came to a Resolution of presenting a second Address with their Reasons for opposing this Marriage. The same Day it was voted that a Bill should

*The King's
Answer
relating to
the Duke's
Marriage.*

should be prepared for a *General Test* between *Pro-* 1673.
testants and *Papists*; that is to say, an Oath which *A Bill for*
 should serve to distinguish *Protestants* from *Papists*, *a General*
 with this Clause, *That they who refused to take it should* *Test.*
be incapable of bearing any Office Civil or Military, or to
sit in Parliament, or to come within five Miles of the
Court.

The 31st of October the Commons took the King's *Vote of the*
 Speech into Consideration, and after a serious Exam- *Commons*
 ination of it in a grand Committee, came to the fol- *to grant no*
 lowing Resolution — “ That the House consider- *more Sup-*
 “ ing the present Condition of the Nation, will not *plies to the*
 “ take into any further Debate the Consideration of *King.*
 “ any *Aid*, or *Supply*, or *Charge* upon the Subject,
 “ before the Time of Payment of the Eighteen
 “ Months Assessment granted by a late *Act* of Par-
 “ liament, intituled, *An Act for raising the Sum of*
 “ *Twelve Hundred Thirty-eight Thousand, Seven Hun-*
 “ *dred and Fifty Pounds be expired*; except it shall ap-
 “ pear that the *Obstinacy* of the *Dutch* shall render it
 “ necessary; nor before this Kingdom be effectually
 “ secured from *Popery* and *Popish* Counsellors, and
 “ the other present *Grievances* be redressed.”

The King, as may well be imagined, was ex- *Petition*
 tremely shocked with this Resolution, and the rather *for a Gene-*
 as it was backed with an Address for a General *ral Fast.*
Fast.
 to be observed throughout the whole Kingdom, which
 intimated to the People that the Kingdom was in
 great Danger. Two Days after the House in a
 Body waited on the King with a second Address a-
 gainst the Duke of York's Marriage, in which, af-
 ter a great many Compliments, they represented to
 him — “ 1. That if this Match do proceed, it will *Address a-*
 “ be a Means to disquiet the Minds of his *Protestant* *gainst the*
 “ Subjects at home; and to fill them with endless *Duke of*
 “ Jealousies and Discontents; and will bring his *York's*
 “ Majesty into such Alliances abroad, as will prove *Marriage.*
 “ highly prejudicial, if not destructive to the Inte-
 “ rests of the very *Protestant* Religion itself. 2. They
 “ find by sad Experience that such Marriages had

1673.

“ increased and encouraged Popery in the Kingdom,
 “ and had given Opportunity to Priests and Jesuits to
 “ propagate their Opinions, and seduce great Num-
 “ bers of his Majesty’s Subjects. 3. They do al-
 “ ready observe how much the Party is animated
 “ with the Hopes of this Match, which was lately
 “ discouraged by his Majesty’s gracious Concessions
 “ in the last Meeting of the Parliament. 4. They
 “ greatly fear this may be an Occasion to lessen the
 “ Affections of the People to his *Royal Highness*, who
 “ is so nearly related to the Crown, and whose Ho-
 “ nour and Esteem they desire may always be entire-
 “ ly preserved. 5. That for another Age more at
 “ least, this Kingdom will be under the continual
 “ Apprehensions of the *Growth of Popery*, and the
 “ *Danger of the Protestant Religion*. Lastly, they
 “ considered that this Princess having so near a Re-
 “ lation and Kindred to many eminent Persons of
 “ the Court of *Rome*, may give them great Oppor-
 “ tunities to promote their Designs, and carry on
 “ their Practices here, and by the same Means pene-
 “ trate into his Majesty’s most secret Counsels, and
 “ more easily discover the State of the whole King-
 “ dom. And finding by the Opinions of very learn-
 “ ed Men, that it is generally admitted, *That such*
 “ *Treaties and Contracts by Proxies are dissoluble*, of
 “ which there are several Instances to be produced.
 “ They do in all Humility beseech his Majesty to
 “ put a stop to the Consummation of this intended
 “ Marriage. And this they do the more importu-
 “ nately desire, because they have not as yet the
 “ Happiness to see any Issue of his Majesty that
 “ might succeed in the Government of his King-
 “ dom”. — To this Address the King contented
 himself with briefly replying — *That it was a Mat-*
ter he would take into his present Consideration, and
would speedily return an Answer. After which the Com-
 mons proceeded farther, and voted the Standing-Army
 a Grievance, and accordingly prepared an Address
 to be presented to his Majesty, shewing, *That the*
Standing-

Voted a-
gainst a
Standing-
Army.

Standing-Army was a Grievance and a Burden to the Nation. 1673.

But the 4th of *November*, the Day on which the *Commons* were to have presented their Address, the King came unexpectedly to the House of Peers, and sent for the *Commons*. It happened that the Speaker and the Usher of the *Black-Rod* met both at the Door of the House of *Commons*, but, as the Speaker was first within the House, the Door was immediately shut against the Usher, who came with the King's Message. The Speaker was forced into the Chair, and while the Usher continued knocking at the Door, the House voted, 1. *That the Alliance with France was a Grievance.* 2. *That the evil Counsellors about the King were a Grievance.* And, 3. *That the Duke of Lauderdale was a Grievance, and not fit to be trusted or employed in any Office or Place of Trust.* Upon which there was a general Cry to the *Question, to the Question!* But, the *Black-Rod* knocking earnestly at the Door, the Speaker leaped out of the Chair, and the House rose in great Confusion. When the *Commons* were got to the House of Lords, the King made a short Speech to both Houses, in which he represented the great Advantages which the Enemy would draw from the least Appearance of a Difference between him and his Parliament — He told them that he would not be wanting to let all his Subjects see, *That no Care could be greater than his Own in the effectual suppressing of Popery.* He then prorogued the Parliament to the 7th Day of *January* following, and thus put an End to the Twelfth Session of this long Parliament, after it had sat only Nine Days.

Immediately after the Prorogation of the Parliament, the King took the Great-Seal from the Earl of *Shaftsbury*, and gave it to Sir *Heneage Finch*, with the Title of *Lord-Keeper*. Soon after the King ordered that no Person who was a *Roman-Catholic*, or reputed such, should presume to come near his Person or Court. He likewise put out a Proclamation for the rigorous Execution of the Laws against *Papists*.

Other
Votes con-
trary to
the King.

The Par-
liament
prorogued.

Sir Hen.
Finch suc-
ceeds
Shaftsbury

Proclama-
tion a-
gainst Pa-
pists.

1673. This was the Eighth of the kind since his Restoration, and executed as the Seven before it had been.

Consummation of the Duke's Marriage.

But this Proclamation was not capable to remove the Fears occasioned by the Duke of York's Marriage with the Princess of *Modena*, which was consummated the 21st of *November*, on the Day of her Arrival in *England* with the Dutches's her Mother *.

1673-4.
The King's Speech to the Parliament.

The Parliament meeting the 7th of *January*, the King represented to both Houses——“ That no
“ Proposals of Peace from the *Dutch* had been yet
“ offered with an intent to *conclude*, but only to
“ amuse : That all their Hopes were to disunite him
“ and his Parliament; it was their common Discourse,
“ and they reckoned upon it as their best Relief ——
“ That the Way to a good Peace was to set out a
“ good Fleet, which there was Time enough to do
“ effectually, if the Supply was not delayed ——
“ That a *speedy*, a *proportionable*, and above all, a
“ *cheerful* Aid was now more necessary than ever :
“ He once more put them in mind of his Debt to
“ the *Goldsmiths* : And then told them, That his Al-
“ liance with *France* had been very strangely misre-
“ presented to them, as if there were certain secret
“ Articles of dangerous Consequence ; but he would
“ make no Difficulty of letting the Treaties, and
“ all the Articles of them, without any the least
“ Reserve, be seen by a small Committee of both
“ Houses, who might Report the true Scope of
“ them.”

Speech of the Keeper of the Great Seal.

After this the Lord-Keeper enlarged upon all these Points with excessive Flattery upon the King for his extraordinary Care to maintain the Laws and Religion ; and to remove all Doubts of this, he brought for Proof the King's Promises made on that Subject. Above all, he magnified the King's Offer of letting them see the Treaties with *France*, as a Condescension which could not be sufficiently acknowledged but

* They were married at *Dever* by the Bishop of *Oxford*. This Princess *Maria d'Este* was then very little above Fifteen Years of Age.

but by an extraordinary Supply of Money. In a Word, the King's, and the Keeper's Speeches turned wholly upon this Principle, that the War with the States was just and necessary, and consequently to be vigorously carried on in order to an honourable Peace. 1673-4

It does not appear that the Houses paid any Regard to the King's Offer of laying before them his Treaties with *France*, since it was in his Power to shew them what he pleased, and to suppress the rest. The King then saw the Difficulties into which the Cabal had plunged him by their violent Counsels. He had lost the Confidence of his People, and neither his Words nor his Promises were any longer relied on. It signified little for him to protest his Zeal for the *Protestant* Religion, and the Liberties of his Subjects, these Protestations could not make them forget so many Steps already taken which gave too just a Suspicion of his Sincerity. This took off the Attention of the Parliament from his Words to fix it upon his Actions, and put them upon Measures the most effectual that might be, to prevent the Execution of the Court's Designs, which were but too manifest. There were many Things about which they expressed openly enough their Fears and Discontents. 1. The Growth of *Papery* publicly encouraged by the Court. 2. The exorbitant Power of *France*, which in the end could not but prove prejudicial to *England*. 3. The War against the *Dutch* undertaken directly contrary to the Interest of *England*, and yet supported by Supplies incessantly demanded by the King, as if it had been just and necessary, though he had alledged no good Reason for it. 4. The Management of Affairs in *Ireland*, where the *Act of Establishment* was openly trampled upon, and *Papists* daily either advanced or encouraged. 5. The King's Proceedings in *England* which were clear Evidences of his Principles and Designs; namely, his raising a Land-Army without any Necessity; his granting Liberty of Conscience by his sole

The King in great Difficulties.

The Parliament enraged against the Court. The Cam-

1673 4.
A mortifying Vote
to the
King.

At length the *Commons* having taken the King's last Speech into Consideration, voted, "That the House will in the first Place proceed to have their Grievances effectually redressed, the *Protestant Religion*, their *Liberties* and *Properties* effectually secured, and to suppress *Popery*, and remove all Persons and Counsellors *Popishly* affected, or otherwise obnoxious or dangerous to the Government." Then they presented an Address to the King — "That the *Militia* of the City of *London*, and County of *Middlesex*, might be ready at an Hour's warning, and the *Militia* of all other Counties of *England* at a Day's warning, for suppressing of all tumultuous Insurrections which might be occasioned by *Papists* or any other Malecontented Persons." The King answered to this Address, *That he would take a special Care as well for the Preservation of their Persons, as of their Liberties and Properties.*

An Address.

His Answer.

This Address was only to possess the Minds of the People with Fears of the Kingdom's Danger, and justify before-hand the Measures which the House was entering upon against those who were considered as the principal Authors of this Danger, I mean the Members of the *Cabal*. By the Death of Lord *Clifford*, and the Change in the Earl of *S Shaftsbury*, this Council was reduced to three Persons; namely, the Dukes of *Buckingham*, and *Lauderdale*, and the Earl of *Arlington*. The House began with the Duke of *Lauderdale*, and voted *Nemine Contradicente*, "That an Address should be presented to his Majesty to remove the Duke of *Lauderdale* from all his Employments, and from his Presence and Councils forever, being a Person obnoxious and dangerous to the Government."

Vote against the Duke of Lauderdale.

The Duke of *Buckingham*, while the *Commons* were debating the Heads of this Accusation, requested to be heard before their House, which was granted. But as his Speech, in Vindication of himself, was full
of

of Ambiguities, the House referred his Examination to the next Day, and drew up some Queries, to which he was required to give his Answer. As these Questions have a Connexion with Passages before related, and may be of use to illustrate the History of those Times, I think my self obliged to give them a Place here, without taking Notice of all his Answer, the greatest Part of which left Things as obscure as they were before *.

1. Whether any Persons had communicated to his Grace any ill Designs or Purposes against the Privileges and Liberties of the House of Commons, or to alter the Government; who they were, and what they advised? *Questions proposed to the Duke of Buckingham.*

2. Some Words fell from your Grace Yesterday, wherein you were pleased to say, that some Persons had got Four or Five Hundred Thousand Pounds; who were they that had got these Sums, and by what Means?

His Answer to this was — That he was not at all acquainted by what Means they got so much: That the Duke of Ormond had got Five Hundred Thousand Pounds, which was upon Record; that Lord Arlington had not got so much, but had got a great deal.

3. By whose Advice was the Army raised, and Monsieur Schomberg made General?

4. By whose Advice was this Army brought up to awe the Debates and Resolutions of the House of Commons?

5. Who

* The first Day of his being before the House, he fell into such Disorder, that he pretended he was taken ill, and desired to be admitted again. Next Day he was more composed. He justified his own Designs, laying all the ill Counsels upon others, chiefly the Lord Arlington, intimating plainly that the Root of all Errors was in the King and Duke. He said Hunting was a good Diversion, but if a Man would hunt with a Brace of Lobsters, he would have but ill Sport. He had applied this Saying to Prince Rupert and Lord Arlington; but now it was understood to go Higher. *Burnet, p. 367.*

1673-4.

5. Who made the *Triple-Alliance* ?
6. Who made the first Alliance with *France*, by which the *Triple-Alliance* was broken ?
He answered, I made it.
7. By whose Advice was the *Exchequer* shut up, and the Order of Payment there broken ?
8. Who advised the *Declaration* in Matters of Religion ?
9. Who advised the attacking the *Smyrna* Fleet before the War was declared ?
10. By whose Advice was the second Treaty at *Utrecht* ?
11. By whose Counsel was the War begun without the Parliament, and thereupon the Parliament prorogued ?
12. By whose Advice was the Parliament prorogued the 4th of *November* last ?

I did not think fit to add all the Duke's Answers, because it would have been unfair to prejudice the Reader against those whom the Duke of *Buckingham* laid the blame upon, in order to clear himself. But the Questions are very proper to let us see what it was that the *Commons* found Fault with in the Conduct of the King and *Cabal*. They were so little satisfied with the Duke's Answers, that they passed the same Vote against him that they had done against the Duke of *Lauderdale*.

The Earl
of Arlington im-
peached.

The *Commons*, it seems, had principally in View the Ruin of the Earl of *Arlington*, since notwithstanding all he could say in his Defence, in a hearing before them, they drew up an Impeachment against him consisting of several Articles. But as this Impeachment went no further, and is unsupported by any sufficient Proof, I think it not right to give my Readers the Articles ; as I cannot insert therewith what the Earl might urge in his Defence. Let it therefore suffice to say that this Impeachment had principally in View the open Protection, granted by the Earl of *Arlington* as Secretary, to *Roman Catholics* ;

licks ; and some Actions tending either to promote Arbitrary Power, or his own private Interest. 1673-4

Afterwards the Commons proceeded to prepare a Bill for a General Test, by which every Person refusing to take it, should be made incapable to enjoy any Office Civil or Military, to sit in either House of Parliament, or to come within Five Miles of the Court, The Test was in these Words :

I do solemnly from my Heart, and in the Presence of Almighty God profess, testify and declare, That I do not believe in my Conscience that the Church of Rome is the only Catholick and Universal Church of Christ, out of which there is no Salvation ; or that the Pope hath any Jurisdiction or Supremacy over the Catholick Church in general, or over my self in particular ; or that it belongs to the said Church of Rome alone to judge the true Sense and Interpretation of the Holy Scriptures ; or that in the Holy Sacrament of the Eucharist, there is made a perfect Change of the whole Substance of the Bread into Christ's Body, or of the whole Substance of the Wine into Christ's Blood, which Change the said Church of Rome calleth Transubstantiation ; or that the Virgin Mary, or any other Saint ought to be worshipped or prayed unto : And all these aforesaid Doctrines and Positions, I do renounce and disclaim, as false and erroneous, and contrary to God's Word, and the Christian Religion. It was not without Reason that this Oath had the Name of the Test, since it was a sort of Touch-stone to distinguish the Papists from the Protestants, no conscientious Papist being able to take it. The King had already given his Consent to an Act which imposed an Oath of much the same Purport. But that was only intended for Persons who aspired to any Charge or Employment, whereas this here was universal, and might be required to be taken by all suspected Persons. But before the Bill was ready the King prorogued the Parliament, and so defeated both this Bill and several others which were in Agitation, and all tending to the same End.

After

1673 4.
The States
make Pro-
posals to
the King
for a
Peace.

The King
begins to
fall in his
Favourites

After the *States-General* were informed that the Parliament by no Means approved of the War carrying on against them, they never left soliciting the King to a separate Peace, with Offers of any Thing which he could fairly pretend to, on Supposition that the Advantage of his Kingdom was his Motive to this War. But as that was not the Case, it is plain that their Offers could not satisfy him. Nothing short of the entire Destruction of the Seven Provinces, and the Possession of them surrendered to the King of *France* could content him. But as he durst not openly avow this Demand, he pretended to find Ambiguities or Insolencies in the Offers made by the *States*, and from thence took Occasion to reject them. But his Affairs afterwards, by a new Turn, obliged him to come into other Measures. The Victories hoped for by Sea in conjunction with *France* came to nothing. If his Fleet was not beaten in the Four Engagements, at least it had gained no Advantage over that of the *States*. He hoped to have given the finishing Blow to the *States* by a Descent upon *Holland*, and for that Purpose had sent for *Schomberg* to put him at the Head of his Forces. But that General had no Success in his Expedition, and was obliged to return with nothing done; the King of *France*, as I said, had been obliged to abandon his Conquests in *Holland*, in order to defend himself against new Enemies raised against him by the *States*. In short, the Parliament coming to the Knowledge of the secret Intent of this War, not only refused any farther Supplies to support it, but were preparing to bring the Advisers thereof to Justice. On the other Hand, the King had managed the Money, as well that granted him by Parliament, as that raised by shutting up the *Exchequer* with so little Economy, that he had not one Shilling left. His Profusion had been so excessive, that it appeared, from Orders countersigned by the Earl of *Arlington* Secretary of State, that he had given away more than Three Millions *Sterling*, to several private Persons.

1673-4.

In a Word, he did not know which Way to turn himself for the Continuance of the War, as he saw his Parliament backward to furnish the Means. All these Reasons were very capable to incline him to listen to the Offers made him by the *States*. He therefore began to discover, by Degrees, that he should not be averse to a reasonable Peace, provided the *States* would have such Regard to his Honour and Credit as he had Reason to expect. When no other Difficulties remained but this, the *States* writ him a very submissive Letter, and at the same Time furnished the Marquess *del Fresno*, Ambassadour from *Spain* at *London*, with full Powers to conclude a Peace in their Name, on the Conditions already offered, but rejected by the King, on Pretence that they were only designed to amuse him. These Proposals were so reasonable, and offered in so solemn a Manner, that they could not be rejected without allarming the whole Kingdom, and confirming the Suspensions, which were but too general, that this War had other Ends than the Advantage of the People. Besides, the King's Affairs were in such a Situation as to call for immediate Peace.

The States commission the Spanish Ambassador at London to make a Peace in their Name,

Presently after the Receipt of the *States* Letter, the King came to the Parliament the 24th of *January*, and communicated to the Houses the Offers made him, desiring their speedy Advice on this Affair. They gave it as their Opinion, that his Majesty ought to enter into Treaty with the *States*, and come to an Agreement with them as soon as was possible. From this Time all Difficulties relating to the Peace were removed in the Conferences between the Marquess *del Fresno*, and the King's Commissioners, and the Treaty was concluded in a Fortnight after.

The King asks Advice of the Parliament.

Peace concluded.

This short Interval gave no Interruption to the Deliberations of the *Commons* upon the *Grievances*. They insisted chiefly upon the keeping of an Army composed of regular Troops, and after a Vote that it was a Grievance to the Kingdom, they resolved to address the King for the disbanding all Forces raised

The Commons go on with examining into Grievances.

1673-4 sed since the Year 1663. The Examination of this Affair gradually led them to that of the Horse and Foot Guards, raised by the King without either the Concurrence or Approbation of the Parliament. It was found that they were a Burden to the King and Kingdom: That they were in the Nature of a little standing Army, which might be easily augmented: That such a Body of Guards was more proper for States where the Government was Arbitrary, than for England: That they were altogether unnecessary, as was evident from the King's going out every Day unattended by them.

The King acquaints the Parliament with the Peace.

These Proceedings were interrupted by the King's coming to the House the 11th of February. The Commons being sent for, the King communicated to both Houses the Peace signed with the Dutch. He told them besides, in answer to their Address concerning the Disbanding of the Forces, that he had given his Orders for the dismissing even more than were desired, and for the sending back the *Irish* Regiments.

He desires a supply.

He added, that he must needs acquaint them that he wanted a great many large Ships, and was desirous in this Respect to be upon the Level with his Neighbours: He therefore hoped that they would grant him the necessary Supplies for that Purpose, since the Honour and Safety of the Nation were concerned in what he required. The Houses thanked him for the Peace he had made, and for his gracious Answer to their Address.

Grievances relating to Scotland. Ireland.

This nevertheless was not capable to prevail with the Commons for a Suspension of their Debates upon the Grievances. They appointed a Committee "to inspect the Laws lately made in *Scotland*, whereby an Army is authorized to march into *England* or *Ireland*, by the sole Direction of the Council of *Scotland*; and to peruse such other Laws as tend to the Breach of the Union of the two Nations." They likewise in a Grand Committee resolved, that a Committee should be appointed to inspect the State and Condition of *Ireland* with regard to Religion, the

1672-4 J

the *Militia*, and the Forces of that Kingdom. They moreover appointed another Committee— " To inspect the Law, and to consider how the King might commit any Subject by his immediate Warrant as the Laws then stood; and to report their Opinions;" and further, " They were to consider how the Law then stood touching the Committing of Persons by the Council-Table, and to report the same." Upon this they ordered a *Bill* to be brought in, which was read three Times, and passed the House, for the maintaining the Privilege of the *Habeas Corpus*. A *Bill* was likewise ordered to be brought in for a *Test* to be taken by the Members of both Houses.

The Habeas Corpus.

It was a severe Mortification to the King to see the *Commons* sitting his Conduct with such exactness, for every Resolution of this Session pointed to the former Proceedings of the Court. It may well be thought that as the Project of the *Cabal* was to render the King absolute, and advance the Interests of *Popery*, the King and his Ministers had not been over scrupulous in gaining first one Point, and then another to found Precedents, and put the King in Possession of arbitrary Power, in Things which were equally visible to every Body. In the Way that the *Commons* proceeded it appeared plainly that they were resolved to go through with their Work. The King therefore to defeat their Designs made use of his ordinary Method, and coming to the Parliament the 24th of *February*, prorogued it to the 16th of *November* following, before any *Bill* was ready for the Royal Assent. Thus ended the 13th Session of this Parliament, after it had continued six Weeks and three Days: The Prorogation was afterwards continued and held about fourteen Months.

The King mortified

prorogues the Parliament.

The Peace was proclaimed the 28th of *February* in the City of *London*, with much greater Demonstrations of Joy and Satisfaction from the People, than the War had been two Years before. The sole Difference between this Peace and that of *Breda* was,

1673-4.

that the *States* obliged themselves to make their Ships, whether single or in Fleets, strike the *Flag*, and lower their *Top-Sail* to those of *England*, whether single or in Fleets, provided they carried the King's *Flag*. Moreover the *States* obliged themselves to pay the King eight Hundred Thousand Pattacoons at four Payments, that is to say, two Hundred Thousand on the Exchange of the Ratifications, and the rest at three Payments, within the Space of three Years. Thus the People of *England* discharged the Expence of this War, and the King alone reaped the Benefit *.

1674.
The King
abandons
himself to
his Plea-
sures:

The King finding himself freed from the Cares of War, and the Vexations given him by the Parliament, resigned himself entirely to a soft, indolent, and effeminate Life. The Dutcheß of *Orleans* his Sister had brought him, at the Interview she had with him at *Dover*, the Daughter of a Gentleman of *Bretagne*, called *De Queroualle*, who commanded his Affections beyond any of his other Mistresses, and was created by him *Dutcheß of Portsmouth*. But his particular Fondness for her did not prevent his having many more, by whom he had several Children, educated with no small Expence. In short, not to dwell upon what passed at a Court so corrupted as that of *Charles II*, I shall content my self with saying in two Words, that his Mistresses had in effect ingrossed the whole

governed
by his Mis-
tresses.

* *Burnet* says; Lord *Arlington* pressed the *Spanish* Minister, to prevail with the *States*, and the Prince of *Orange*, to get a Proposition for a Peace to be set on Foot. And that it might have some Shew of a Peace both begged and bought, he proposed that a Sum of Money should be offered the King by the *States*, which should be made over by him to the Prince, for the Payment of the Debt he owed him. *Rouviigny* the *French* Ambassador pressed the King much to give his Parliament all Satisfaction in Points of Religion. The King answered him, if it was not for his Brother's Folly (*le fottis de mon Frere*;) he would get out of all Difficulties. In Conclusion, the Prince of *Orange* brought the *States* to make Applications to the King in the stile of those who begged Peace, though it was visible they could have forced it, with the offer of two or three Hundred Thousand Pounds for the Expence of the War. P. 366, 367.

whole Credit of the Court, and that the King could refuse them, nothing. 1674.

It does not appear that *France* made any great Complaints against *Charles* for deserting her, and making a separate Peace with the *Dutch*. This gave room to Speculations, that the King of *France* had given his full Consent to this Peace in the view of having *Charles* for Mediator between him and his Enemies, who had increased considerably within the last Year. This is farther confirmed by the offer of *Charles* of his Mediation to the King of *France* soon after he had made Peace with the *States*, which was accepted without any the least Resentment shown by *Lewis* of what had happened. After the King was assured that his Mediation was accepted by *France*, he sent Sir *William Temple* into *Holland* to offer the same to the *States*.

Charles offers his Mediation to Lewis, and is accepted.

As their Towns and Provinces had been all recovered, *Maestricht* and *Grave* only accepted, they were passionately desirous of Peace. The only Obstacle to it was the Interest of their Allies, the Emperour, the Empire, and *Spain*, who having engaged in the War for their sake, could not be abandoned without extreme Ingratitude. The only Way left to please them was to bring Things to a Treaty, where all Sides might find their Satisfaction. Wherefore, without suffering themselves to be much sollicitated, they accepted the King of *England's* Mediation. It is true, that *France* and the Allies had already accepted that of the King of *Sweden*, who had used his Endeavours to procure a Peace by his Ambassadors in the Congress at *Cologne*. But after that Congress had been broken off by the carrying away Prince *William of Furstemberg*, the *Swede* had rendered himself suspected to the Allies by discovering a too great Partiality for *France*. Wherefore the *States* were not displeased to find another Mediator for renewing the Conferences, though they had no great Reason to confide in the King of *England*. But they were bent upon a Peace, and such was the Situation of the Affairs of *Europe*, that another Mediator was not easy

The States accept it.

1674. to be found. It was therefore their Advantage rather to accept him, than have none at all, and so lose the hope of putting an End to the War. However this be, they solicited all the Princes their Allies so powerfully, that at last they brought them to accept the King of *England's* Mediation. But to agree upon a Mediator, and to conclude a Peace, were Things vastly different. So many various Interests to adjust, made it easy to foresee that Peace would be a Work of great Difficulty, besides the Accidents which the Prosecution of the War might produce, and which could not but almost unavoidably alter the Pretensions of the two Parties. For Instance, while a Mediation for Peace was talked of at the *Hague*, a Battle was fought at *Senef*, which indeed decided nothing, but might have drawn after it great Consequences, if Victory had entirely declared for either of the two Armies. Moreover the Prince of *Orange* took *Grave* in the Month of *October*.

King
Charles a
Pensioner
of France.

I cannot forbear taking Notice here of a Thing which became more publick afterwards, and of which I shall have occasion to speak more amply, and that is, at the very Time *Charles* performed the Office of a Mediator, he received from *France* an annual Pension of one Hundred Thousand Pounds *Sterling*. This may give us a Taste of his Impartiality. Moreover it appears from the Letters of *Coleman*, the Duke of *Berk's* Secretary *, some of which were written this Year, that there was a close Union between the King of *France* and the Duke of *Berk*, and that the latter relied entirely on the Assistance of *France* for the Execution of the Project formed in favour of the *English Papists*. This proves manifestly that *Charles* had by

no

* He was Secretary to the Dutchess. He was a Clergyman's Son, but was early caught by the Jesuits, and bred among them. He was a bold Man, had a great Easiness in Writing in several Languages, and writ many long Letters, being the chief Correspondent the Party had in *England*. He understood the Art of managing Controversies, particularly that of the Authority of the Church. *Burnet*, p. 368.

no means desisted from his former Designs, and that he waited only a favourable Opportunity to execute them, when *France*, discharged from the Burden of the present War, should be in a Condition to grant him the necessary Assistance. 1674.

While these Things passed, the *Papists* in *England* were very busy to prevail with the King for the Dissolving a Parliament which was so much against them; this appears from *Coleman's* Letter just now mentioned. But the King did not think proper to take such a Step so soon, which might have done him great Prejudice by exasperating the People, without any other Advantage drawn from it, than some Ease procured for the *Papists*. But this was not the Thing which he had principally in view. For though he was a disguised *Papist*, he had so little Zeal for Religion, that he was by no means inclined to hazard his Temporal Interests in Complaisance to the *Papists*. He therefore, on the contrary, put out a Proclamation to stifle the false Report that this Parliament was upon the Point of being dissolved, and to satisfy the People that the Thing had never come under Deliberation. *The King refuses to dissolve the Parliament.*

To finish the Events of this Year 1674, I shall only take notice of some Particularities which may be of use for the Sequel of this History. In the Month of *September* the Earl of *Arlington* was made Lord Chamberlain of the King's Household, and Sir *Joseph Williamson*, who had been Plenipotentiary at the Congress of *Calogue*, was made Secretary in his room. On the other Hand, the Duke of *Buckingham*, who had been the King's principal Favourite, lost his Favour and Credit so entirely, that the King, without any Ceremony, gave him a publick Affront, in declaring the Office of Chancellor of *Cambridge* vacant, and in influencing the Election in favour of his natural Son the Duke of *Monmouth*. *Proferments and Removals at Court.*

The Earl of *Clarendon* dyed this Year at *Rouen*, Sixty-seven Years of Age, after having lived seven Years in Exile; during which he digested the Memoirs *Deaths of the Earl of Clarendon, and the Poet Milton.*

1674.

moirs which he had collected to compose his History of the Rebellion and Civil Wars of England. The famous Milton, Author of the Poem called *Paradise lost*, dyed likewise this Year.

1674-5.
The Earl of
Arlington
in Dis-
grace.

Of the five Members of the *Cabal*, only the Earl of *Arlington*, and Duke of *Lauderdale* remained about the King. The first finding himself in a very disagreeable Situation, since the Parliament had so openly declared against him, believed that he had no other Way to support himself, than by entering, or pretending to enter, upon Measures different from those of which the *Cabal* had been accused. In effect, he was the first who advised the King to call in his Declaration for Liberty of Conscience, and after he saw the Parliament acting with such Vigour to break the Measures of the Court, he affected an extraordinary Zeal for the *Protestant* Religion. He was constant at Sermons and Sacraments, and carried his Diffimulation so far, as to persecute the *Papists* whom he had till now protected. Some even say, that he had advised the King to remove the Duke of *York* from his Court and Person. But if by these Steps he gained something upon the People, he lost himself so with the King and Duke, that they no longer reposed the Confidence in him which they had before. The King had given him a notable Token of his Displeasure, by bestowing the Treasurer's Staff on Sir *Thomas Osborne*, afterwards created Earl of *Danby*, which *Arlington's* Ambition aspired to. This made the two Earls mortal Enemies, and nothing was forgot which might promote their mutual Destruction. The Earl of *Arlington* seeing that his Enemy daily gained Ground upon him, flattered himself that he might recover his former Credit and Favour by some signal Service done for the King. And the Service thought of was, the engaging the Prince of *Orange* to enter into the Measures of the *English* Court for procuring such a Peace as was desired by the Courts of *France* and *England*. As his Wife was Mr. *Odyck's* Sister, who was much in the Prince's Confidence, he imagined that with the Assistance

Osborne
made Lord
Treasurer.

Arlington's suc-
cessless Ne-
gotiation
at the
Hague.

Assistance of him, and his other Relations and Friends, it would be no difficult Matter to succeed in the Scheme he had projected. Wherefore he prevailed with the King to let him go to the *Hague* to execute his Purpose. But as he knew nothing of the Temper, Humour, and Character of the Prince of *Orange*, he took the very Course to gain him he should have avoided. He endeavoured to vindicate all the Proceedings of the *Cabal* and *English* Court, by Reasons so weak and opposite to the Truth, that he seemed in his Discourse to the Prince, to think he had to deal with a Child, ignorant of the most common Affairs, which could not but offend him. But what was still more offensive, was his Attempt upon the Prince to bring him to a Discovery of the *English* Lords, with whom he had held a secret Correspondence during the last War. In a Word, this Journey proved so unfortunate to him, that it lost him not only the good Opinion of the Prince of *Orange*, but even all his Credit with the King. Besides, he drew upon himself the Hatred of the Duke of *York*, in a still more heavy degree, by proposing to the Prince without any Order, as it is said, from the Duke, a Marriage with the Princess *Mary*, the Duke's eldest Daughter, which was afterwards accomplished. It seemed as if the Duke foresaw how fatal this Marriage would one Day prove to him. After the Earl's Return to Court, his Credit declined so visibly, and the King so openly discouraged him, that the Courtiers made no Scruple to mimick him to divert the King. Thus had the Earl of *Clarendon* been used before. It is said that Colonel *Talbot*, afterwards Earl of *Tyrconnel's* having been some Time absent from Court, and upon his Return happening to see the Earl of *Arlington* one Day acted by a Person with a black Patch on his Nose, and a White-Staff in his Hand, could not forbear reproaching the King with his Ingratitude, in suffering a Man to be thus unworthily treated, who had served him so faithfully as well in his Exile, as since his Restoration; to which the

Loses all
his Credit.

1674-5. King in his own Excuse replied, that he had no Reason to be satisfied with the Earl's Conduct; *For not content to come to Prayers, as others did, he must be constant at Sacraments too: Why, answered Talbot, does not your Majesty do the very same Thing? God's Fifth!* replied the King with some Heat, *I hope there is a Difference between Harry Bennet and Mr.*

The King remains fixed to his first Projects.

This shows that the King had changed neither Inclination nor Principles since his Designs seemed abortive. The Truth is, he was by no Means satisfied with the Members of the Cabal, but it was not for the Counsel they had given him, but for their not having pursued the general Design more effectually. Sir William Temple in his Memoirs relates, that before he departed to offer the King's Mediation to the States, he endeavoured, in a private Audience, to make the King sensible of the Injury which the Counsels and Designs of the Cabal had done him, to which the King answered—*It is true, I had ill Success, but had I been well served things had been otherwise,* and then said what he could to justify the Steps he had taken. We are therefore to consider the King at the time I am speaking of, that is, during the fourteen Months Interval between the two Sessions, as waiting a favourable Opportunity for the better executing his Design. And this Opportunity was not to be had, till France should be at Peace with her Enemies, and in a State to assist her secret Ally. In the mean time, the King seems to have had no other Business upon his Hands, than to squeeze as much Money as he could out of his Parliament. He began therefore with his stale Practice of putting out a Proclamation against *Popish Priests and Jesuits* to prepare the Parliament to be favourable to him.

1675.
The King's Speech to the Parliament.

The Fourteenth Session of this Parliament began the 13th of April; the King opened it with a Speech to both Houses, in which he told them—“ That the principal End of his calling them now was to know what they thought might yet be wanting to the Security of Religion and Property, and to give
— himself

1675.

" himself the Satisfaction of having used his utmost
 " Endeavours to procure and settle a right Under-
 " standing between him and his Parliament—For
 " he must tell them, that he found the contrary was
 " so much laboured, and the pernicious Designs of
 " ill Men had taken so much Place under *specious*
 " *Pretences*, that it was high time to be watchful in
 " preventing their Contrivances; of which this was
 " not the least, that they endeavoured, by all Means
 " they could devise, to make it *impracticable* any
 " longer to continue this present Parliament—That
 " he had done as much on his Part as was possible
 " to extinguish the Fears and Jealousies of *Popery*;
 " and would leave nothing undone that might shew
 " the World his Zeal to the *Protestant* Religion as
 " established in the Church of *England*, from which
 " he would never depart. He then recommended
 " the Condition of the Fleet, which he was not able,
 " he said, to put into that State it ought to be, and
 " which required a considerable Sum of Money as well
 " to repair as to build. Lastly, he told them, that
 " the Season of the Year would not permit a long
 " Session—That he intended to meet them again
 " the next Winter, and in the mean time recom-
 " mended to them all such Temper and Moderation
 " in their Proceedings, as might tend to unite him
 " and them in Counsel and Affections, and disap-
 " point the Expectations of those, who could only
 " hope by violent and irregular Motions to prevent
 " the bringing the Session to a happy Conclusion."

The Commons thanked the King for his Speech and his Promises with regard to *Religion* and their *Liberty*: But as he had given them only bare Words and insignificant Proclamations for a Proof of his Intentions, they believed something more was wanted, and accordingly proceeded to a new Bill against the Growth of *Popery*, and particularly *Popish Priests*, that is to say, such as had received Orders from the See of *Rome*,

That

1675.
Address
against the
Duke of
Lauder-
dale.

This done, the *Commons* presented a long Address against the Duke of *Lauderdale*, in which they said, —“ That upon a serious Examination of the
“ State of the Kingdom, they found that some Per-
“ sons in great Employment under his Majesty had
“ fomented Designs contrary to the Interest of both
“ his Majesty and his People, intending to deprive
“ them of their antient Rights and Liberties, amongst
“ which was the Duke of *Lauderdale* *; (*this was*
“ *clearly pointing at the Cabal.*) That he had openly
“ affirmed in the Presence of his Majesty sitting in
“ Council, and before divers of his Subjects attending
“ there—*That his Majesty’s Edicts ought to be obeyed;*
“ *for his Edicts are equal with Laws, and ought to be*
“ *obeyed in the first Place*—They then represented
“ to his Majesty some *Acts* which had been made by
“ the Parliament of *Scotland*, by which it appeared
“ that there was a *Militia* settled in that Kingdom of
“ Twenty Thousand Foot, and Two Thousand
“ Horse, *who are obliged to be in a readiness to march*
“ *into any Part of this Kingdom, for any Service wherein*
“ *his Majesty’s Honour, Authority, and Greatness may*
“ *be concerned; and are to obey such Orders and Direc-*
“ *tions, as they shall from time to time receive from the*
“ *Privy-Council there*, and that the Duke of *Lauder-*
“ *dale* was the Promoter of this *Act*. That by this
“ means *England* was exposed to an Invasion from
“ *Scotland* under any Pretence whatsoever, while the
“ Duke of *Lauderdale* was intrusted with the Admi-
“ nistration of that Kingdom. For these Reasons
“ they humbly besought his Majesty to remove the
“ said Duke for ever from his Person and Council ”.

refused by
the King.

The King did not think proper to grant this Request, and gave some Reasons for his Refusal, which were not satisfactory to the *Commons*. And therefore they determined to prepare a Second Address against the Duke.

The Earl of
Danby’s
Conduct
examined
by the
Commons.

The *Commons*, after they had attacked the late Members of the *Cabal*, discharged their Resentments upon a new Minister. This was the Lord-Treasurer
Danby

* Lately created Earl of *Guilford*.

Danby, who was believed to be deeply engaged in the Design of making the King absolute. They examined his whole Conduct since he had been admitted to his high Post, and drew up several Articles in which they accused him of great Misdemeanours. In one of these Articles, he was accused of having said in full Council—*That a new Proclamation is better than an old Act.* But as no sufficient Proofs were found to support the Charge, it fell to the Ground.

One may easily infer from these Proceedings of the *Commons*, the Distrust which they had of the King and his Ministers; and that they made no doubt of the Court's Intention to introduce *Popery*, and invade the Liberties of the Subject. Those who would ascribe the ill Humour of the *Commons* to the Practices of the Earl of *Shaftsbury*, are hard put to it to answer the above-mentioned Facts, which would not be at all the less true, though the Earl of *Shaftsbury* had never been born.

The *Commons* gave a farther Proof of their Distrust in another Point which was no less grievous to the King. By an Address they prayed him to recall his Troops out of *France*, and prevent his Subjects from engaging in that Service for the future. The King rejected the first Part of the Petition, on pretence that, in the Treaty concluded with the *States*, he had entered into no Engagements to recall those Troops; nor could he do it without Danger of breaking the Peace, which he now enjoyed with all his Neighbours: But by a Proclamation he forbade any of his Subjects entering into the Service of *France*.

The King is desired by the Commons to call home his Forces from France; which he refuses.

Whilst the *Commons* were proceeding with Vigour, and giving on all Occasions signal Testimonies of their Distrust, the Lords remained idle, and seemed to shew little Concern at the Fears and Jealousies expressed by the *Commons*: Nay, it fell out that some of them, and particularly the Bishops, observing that the *Commons* were gradually departing from the Principles which had been established by this same Parliament,

The Lords are afraid that the Commons are going too far.

ment, as well with respect to the Church of England, as the Royal Authority, feared that they would lean too much to the opposite Side. In the Beginning of this Parliament, whilst it was believed that the King was and would continue a Protector of the Church of England, and Men were possessed with an Opinion that constant Proofs of his Affection for a People who had so generously restored him might be expected, it was thought the Royal Authority could not be carried too high, nor too many Precautions taken against the *Non-conformists*. But things having put on another Appearance, and the King having made it evident by his Conduct since he was on the Throne, that his Design was to introduce *Papery*, and render himself absolute, these same Principles, which had been considered as the Bulwark of Security to both Church and State, appeared too apt to countenance the Designs ascribed to the King and his Ministers, of invading the Government and the established Religion. The *Commons* therefore seeing that the King was not the Person they had taken him for, and that he took Advantage of the *Acts* made in his Favour to advance his own Interests, which were different from those of the Nation, used all possible Precautions to hinder the Execution of his Designs. These Precautions went so far, that the House of Lords were at last apprehensive that the *Commons* had a Design to overturn every Thing done for the Royal Prerogative and the Church's Security, and that by degrees the Nation would again become *Republican* and *Presbyterian*. It is pretended that the Bishops were all or most of them of this Opinion. To prevent an Evil which to them seemed so very dangerous, the Earl of *Lindsey* brought into the House of Lords a *Bill*, intitled, *An Act to prevent the Dangers which may arise from Persons disaffected to the Government*. By this *Bill* all Persons who enjoyed any Office Ecclesiastical, Civil, or Military, all Privy-Counsellors and Members of Parliament, were obliged under a Penalty to take the Oath which had been

Bringing a
Bill into
their House
to check
their De-
signs.

been introduced first in the *Corporation-Act*, then in the *Militia-Act*, and afterwards more fully in the *Five-Mile-Act*. The Oath, to save the Reader the Trouble of looking for it elsewhere, was in these Words — *I do declare that it is not lawful upon any Pretence whatsoever to take up Arms against the King; and that I do abhor the traitorous Position of taking Arms by his Authority against his Person, or against those that are commissioned by him in pursuance of such Commission: And I do swear, that I will not at any time endeavour the Alteration of the Government either in Church or State.*

1675.

So help me God.

When this Oath was inserted in the Three *Acts* just mentioned, no considerable Debates had arisen upon it, for Reasons before taken notice of: But the Case was very different when it was proposed in this Session. First, because it was rendered in a manner universal, by its extending thus to all Persons in any Office whatever, and even to Privy-Counsellors and Members of Parliament. Secondly; because the Times were altered, and most Men had not the same Opinion of the King as they had when the Three former *Acts* were made. This occasioned Debates in the Upper-House, which lasted Seventeen Days, without a Possibility of coming to any Conclusion. There were two powerful Parties in the House, one for and the other against the *Bill*, and the Votes of the Bishops turned the Scale on the Side of the First. This appeared in that notwithstanding all the Efforts of the Enemies to the *Bill* against its being referred to a Committee, they were unsuccessful, which obliged some Lords of that Party to enter their Protestation against it *. The thing

Great Debates upon it.

* The Protesting Lords, who were looked upon as of the Country-Party, were *Burleigh, Brintwater, Winchester, Salisbury, Bedford, Dorset, Aytonbury, Bristol, Darbigh, Paget, Hales, Parr, Bucking, Mober, Stamford, Hallifax, De la mer, Ruse, Stanbury, Clarendon, Grey, Roll, Say and Seal, Wharton*: It must be observed, that

1675.

thing was the same, when the *Bill* came to be examined in a Committee of the whole House. In fine, with regard to the Substance of the *Bill* the two Parties displayed all their Art and Eloquence, one to have it passed, and the other thrown out. In general, those who argued for the *Bill* maintained, That *the Position of taking up Arms by the King's Authority against his Person, or against those that are commissioned by him, was false and pernicious*; and they supported their Opinion by Instances fetched from the former Reign, where it had caused such direful Disorders, and given a Handle to overturn both Church and State. They said therefore, that the Kingdom being still full of Fanaticks, Republicans, and Enemies of the Church, it was absolutely necessary to impose this Oath upon them, to discover who they were, in order to put the Nation upon their Guard against them: That otherwise there was danger of seeing one Day renewed the Distractions which had reduced the Kingdom to so deplorable a Condition; and that the Oath enjoined by this *Bill* was a mild Provision for the Safety and Preservation of both Church and State.

The other Party maintained, “ That the Oath imposed by this *Bill* was built upon no good Foundation; that it contained three Clauses, the two first *Affertory*, and the last *Promissory*; that it was worthy the Consideration of the Bishops, whether *Affertory Oaths*, which are properly appointed to give Testimony of a Matter of Fact, of which a Man is capable to be assured by the Evidence of his Senses, be lawful to be made use of to confirm or invalidate Doctrinal Impositions; and whether that Legislative Power which imposes such an Oath, does not necessarily assume to itself an Infalibility.

that this *Bill* was contrived by the Church-Party, and was disliked by the Duke, and the *Papists* in general, because they thought the bringing any *Test* in Practice, would certainly bring on one that would turn them out of the House.

“libility. And as to the *Promissory Oaths*, it was desired that the learned Prelates would consider the Opinion of *Grotius de jure Belli & Pacis*, lib. 2. cap. 3. who seems to make it plain that those kind of Oaths are forbidden by our Saviour *Christ*, *Matt. v. 34; 37*. And whether it would not become the Fathers of the Church, when they have well-weighed that and other Places of the *New-Testament*, to be more tender in multiplying Oaths, than hitherto the Great Men of the Church have been? But the Question being put, the *Oath* was voted by the Majority of the House, the Bishops to a Man being all for it.

Next the Oath itself enjoined by the *Bill* came to *The Bill* be discussed, when the Party against it endeavoured *passer* to prove that the Position of *taking Arms by the King's Authority against his Person*, was true and necessary in a Government, such as was that of *England*, limited and confined by Laws; without which the Rights and Liberties of the Subject might be given up a Sacrifice to a Prince, who being a Tyrant (which was a Case that might happen) would pay no regard to the Commandments of God, nor be influenced by any Fears of Opposition from Men: That should such a Prince, in any future time, undertake to abrogate all Laws, and wrest from his Subjects their Estates and their Liberties, the Obligation of this Oath would tie up their Hands from Resistance, and put their Necks under any Yoak which he should think fit to lay upon them: That even without supposing any such Tyranny, a King might happen to be made Prisoner by his own Subjects, as it befel *Henry III* and *Henry VI*, in which case those who should have the Sovereign in their Hands might act in his Name, and by his Authority, by virtue of his Commission, while the Subjects would be restrained by the Obligation of this Oath from using their Endeavours for the Delivery of their Prince from Servitude. In short, several other probable Cases were alledged, from which it was clearly proved that the Oath ought to have

1675. some Restrictions, if it was not intended to put the Liberties of the Kingdom into the Hands of the Sovereign. But as such Restrictions were not easy to be explained, it was much better, in the Opinion of this Party, to leave the Oath in Generals which did not take in all possible Cases, as seemed to be the Intention of this Oath from the Terms in which it was conceived.

A Quarrel between the two Houses.

This Affair was interrupted by an Accident which occasioned a violent Contest between both Houses. I shall not enter into the Detail of this Dispute, which supposes a Knowledge of a great many Things relating to the Privileges of the two Houses, of which few Foreigners have any distinct Notion. I shall therefore content my self with briefly delivering the Occasion of it. One Dr. *Shirley* having brought an *Appeal* in the House of Lords, from a Decree in *Chancery*, against Sir *John Fagg* a Member of the House of *Commons*, they ordered *Shirley* to be taken into the Custody of the Serjeant at Arms for a Breach of Privilege. The *Warrant* for taking *Shirley* into Custody was forcibly taken from the Serjeant's Deputy by the Lord *Mobun*. The *Commons* demanded Justice of the Peers against the Lord *Mobun*, and were answered by the Lords, that he had only done his Duty. The Quarrel, thus begun, increased daily, so that the Houses, in their Answers and Replies, came to Language so reproachful, that no hope was left of an Accommodation. This brought the King to the Parliament the 9th of *June*, which he prorogued to the 13th of *October*. Thus ended the 14th Session of this Parliament before the Money-Bill and other publick Bills were ready for the Royal Assent. The *Commons* had passed a Vote to grant the King a Sum of Three Hundred Thousand Pounds *Sterling*. But at the same time they came to a Resolution to apply the Tax of *Tonnage* and *Poundage* to the Maintenance of the Navy, according to its original Design, which amounted to Four Hundred Thousand Pounds. As the King would have been a

The Parliament prorogued.

real Sufferer by such an Application, he was not sorry to have an Opportunity of proroguing the Parliament, chusing rather to deprive himself of a Sum of Three Hundred Thousand Pounds, than lose a Revenue of Four Hundred Thousand.

In the Campaign of the Year 1675, the King of France lost the famous Marshal *Turenne*, who had done very great Services. He was taken off by a Cannon Ball in an Action little important in itself, but made so by the Death of this General, his Army being by this Accident obliged to repass the *Rhine*, and thinking themselves happy to have so escaped. The Retreat of this Army facilitated the Recovery of *Troves* to the Allies, which was yet in the Hands of the *French*. In the Beginning of the Year the contending Powers had agreed, after long Negotiations, to treat of a Peace in the City of *Nimeguen*. But nothing considerable towards it was done this Year.

In *England*, since the last Session, the Court had been full of Intrigues to bring the King to a Resolution of dissolving the Parliament. The *Presbyterians* were very desirous of it, hoping that the People dissatisfied with the Court, would, as frequently happens, return a new Parliament composed of Members who had other Principles than their Predecessors. The *Papists* had passionately desired this Dissolution before the last Session, but, as appears from a Letter writ by *Coleman* the Duke of *York's* Secretary, in *August*, they had altered their mind, and expected great Matters from this very Parliament which had hitherto been so averse to them. But no good Reason is to be given for the Foundation of this Hope. I shall have occasion afterwards to take notice of this and some other Letters of *Coleman*, from which it evidently appears, that the *Papists* were from this time very active to procure great Advantages to their Religion, and relied very much on the Duke of *York*, and the Assistance of *France*.

1675.
The Par-
liament o-
pened with
a short
Speech
from the
King.

The 13th of *October* the King opened the 15th Session of this Parliament with a very short Speech, in which, after having recommended Union to the two Houses, and the Interests of the Church of *England*, he demanded Money of them, as well to build Ships, as to pay what he had expended by way of Anticipation upon his Revenues, praying them to remember that it was now above Three Years since he had asked any Thing of them for his own private Use.

The Keep-
er's Speech.

The Lord-Keeper then made a Speech filled with Flattery of the King, in which he endeavoured to shew that no King had ever a more sincere Affection for his Subjects; or had laboured with more Zeal for the Preservation of Religion and Liberty, and therefore it was not to be doubted, but they would behave themselves like those that deserved to be called *the King's Friends*, and that they would put him at Ease too, and help him to pay some Part of his Debts.

The Com-
mons re-
sume the
interrupt-
ed Bills.

But the *Commons*, instead of being moved by so unseasonable a Rhetorick, and by Reasons so little solid, resumed the Consideration of the *Bills* left unfinished the last Session, for the Liberty of the Subject, and added others for the better Security thereof.

Examine
the publick
Accounts.

Afterwards they took into Consideration the Sums which had been granted to the King for the last War, together with all the Expence of the same, and found that the Charges fell One Million short of what had been received, without being able to discover to what Uses the Money had been applied.

In the Report made of this Affair, it was said that the Parliament was not obliged to pay the King's private Debts by a Tax, which should they admit, nothing hindered but that within one Year they might be obliged to pay as much more, and so authorize the King to demand yearly a Million and a half, as he had hitherto don: That since the End of the War, the whole Charge of the Government, both by Sea and Land, amounted not to above Seven Hundred

Hundred Thousand Pounds *Sterling*, and the clear Income of the Revenue came at least to Sixteen Hundred Thousand, and consequently there ought to have been a yearly Remainder of near a Million : And yet the King had anticipated his Revenues near a Million more, and that it was contrary to the Interest of the Kingdom to encourage such Anticipations, which would be entailed upon the Nation to their utter Ruin and Desolation ; the Parliament therefore resolved to grant the King nothing for this Anticipation : Nevertheless, a few Days after they voted a Sum of Three Hundred Thousand Pounds *Sterling* for the building of Twenty large Ships of War *, but at the same Time passed another Vote for the Appropriation of *Tonnage* and *Poundage* to the Maintenance of the Fleet, which could not but be very disagreeable to the King.

A Vote to grant Money for building of Ships.

The next Thing the *Commons* went upon was, the Examination of the Commerce between *France* and *England* ; by which they found that the *French* imported yearly into *England* Commodities to the Amount of a Million of Money more than they exported, upon which they ordered a *Bill* to be prepared.

The State of Commerce examined.

Lastly, the *Commons* being informed of a publick Report that a great many of their Members were Pensioners to the Court, came to a Resolution of obliging all their Members to take an Oath, by which they were to protest that they had never received any Thing from the Court since the 1st of *January* 1672 ; but I know not whether ever this Resolution was executed *.

And the Pensionary Members.

The

* One First Rate of 1400 Ton, Eight Second Rates of 1100 Ton, and Eleven Third Rates of 700 Ton.

* The Words of this Oath or Test ran thus — " I A. B. do
" Protest before God and this House of Parliament, That Directly
" or Indirectly, neither I, nor any for my Use to my Knowledge,
" have since the first Day of *January* 1672. had or received any
" Sum or Sums of Money, by Ways of Imprest, Gift, Loan, or
" otherwise from the King's Majesty, or any other Person by his
" Majesty's

1675.
An At-
tempt of a
Jesuit.

The Debates of the *Commons* were a little interrupted by a Report made to the House of the Infolence of a *French* Jesuit named St. *Germain*: This Jesuit being informed that a *French* Priest called *Luzancy* had embraced the *Protestant* Religion, and afterwards preached publickly to justify his Conversion, went to him, and threatning either to assassinate him, or have him carried away by force into *France*, he extorted from him a Recantation in Writing of his Conversion and Sermon. This was done while the Parliament was sitting. A Complaint of it was laid before the Secretaries of State, and then before the *Commons*, attested by *Luzancy*, with an Addition of the following Particulars, of which he offered to make Oath, That Father St. *Germain* in several Conferences which he had had with him said: 1. That the King was a *Roman* Catholick in his Heart. 2. That the Court were endeavouring to get a *Liberty of Conscience* in *England* for the *Roman* Catholicks, and that granted, in Two Years, most of the *English* would acknowledge the *Pope*. 3. That he knew the King's Intentions concerning Religion, and that he was sure his Majesty would approve of all he should do in that Matter. 4. That he laughed at the Parliament, as being only a Wave that had but a little Time; and said, that no Body was better welcome at Court, and had greater Intrigues with
any

" Majesty's Order, Direction, or Knowledge, or by Authority de-
" rived from his said Majesty, or any Pardon, Discharge, or Res-
" pite of any Money due to his said Majesty upon Account, or
" any Grant, Pension, Gratuity, or Reward, or any Promise of
" any such Office, Place or Command, of or from his Majesty,
" or out of any Money, Treasure or Estate of or belonging to his
" Majesty, or of from or by any foreign Ambassador or Minister,
" or of or from any other Person in the Name, or by the Ap-
" pointment, or with the Knowledge of his Majesty or any of
" them; otherwise than what I have now in Writing faithfully
" discovered and delivered to this House, which I have subscribed
" with my Name: Neither do I know of any such Gift, Grant, or
" Promise so given, or made since the said Time to any other
" Member of this House, but what I have also inserted in the said
" Writing; nor have I given my Vote in Parliament for any
" Reward or Promise whatsoever". *So help me God, &c.*

any of the Nobility than he. 5. That it was good sometimes to force People to Heaven; and that there were an infinite Number of Priests and Jesuits in *London*, that did God very great Service. *Luzancy* added farther, that many Persons of good Credit and Repute, were ready to justify upon Oath that several of the *Roman* Catholicks had spoken Things quite as bad or worse. In a word, that they were grown so bold and insolent, that a Profelyte could not walk the Streets without being threatned and insulted.

This Affair threw the House into a great Heat, and obliged the King to put out a Proclamation, with an Offer of Two Hundred Pounds for the apprehending of *St. Germain*; but that Jesuit had already withdrawn into *France*, from whence he kept a constant Correspondence with *Coleman* the Duke of *York's* Secretary, from whence it appeared that the Duke laboured the Advancement of *Popery* with all his Might.

It has been already seen how much this Parliament was imbittered against the *Presbyterians*, and how, upon a Discovery of the Court's Designs, it had changed its former Conduct to them, so far as to bring in a *Bill* to mitigate the Rigours exercised against them; but that the *Bill* became abortive by a sudden Prorogation of the Parliament. The Affair of *Luzancy* and *St. Germain* gave Birth to such another *Bill* in the House of *Commons*; but they were prevented by the Lords. The Duke of *Buckingham* having before the Lords in a Speech for that Purpose, laid open the Mischiefs which arose from the Persecution of the *Protestant Dissenters*, desired Leave to bring in a *Bill* for their Ease, which was granted immediately.

But this *Bill*, and all the rest prepared by the *Commons*, were unhappily stifled in their Birth by the Revival of the Contest between the Two Houses mentioned in the foregoing Session. This Dispute about Privileges was managed with such Heat on both Sides,

A Bill brought into the House of Lords in favour of Non-conformists. The Quarrel between the Houses revived.

1675. Sides, that it was moved, in the House of Lords, to present an Address, praying the King to dissolve this Parliament, and the Negative carried it only by Two Voices. At last, the King seeing that no Expedient could be found to reconcile the Two Houses, prorogued the Parliament from the 22d of *November* to the 15th of *February* 1677, which was almost Fifteen Months.

The Parliament prorogued.

I shall close this Year with some less important Transactions, which ought not to be omitted.

The Prince of Newbourg arrives in England.

In the Month of *May* the Prince of *Newburg* came into *England*, and was received with great Distinction by the King, as well in Compliment to his personal Merit, as in Consideration of the Civilities the King in his Exile had received from the Duke his Father.

And the Dutchess of Mazarine.

The Dutchess of *Mazarine* having a Difference with her Husband, withdrew into *England* this Year, where it is pretended she had supplanted the Dutchess of *Portsmouth*, had not an Intrigue with a certain Courtier been too soon discovered to the King. He failed not however to assign her an annual Pension of Four Thousand Pounds *Sterling*. Her House, to the Day of her Death, was the *Rendezvous* of all the Men of Wit and Quality, and *St. Evreumont*, a Refugee as well as her self, was one of the most constant Attendants.

Fire made Lord Chancellor Deaths.

The 19th of *December*, *Heneage* Lord *Finch*, Baron of *Daventry*, who had been only Lord-Keeper before, was made Lord High-Chancellor.

The most remarkable Deaths were those of *Lightfoot*, *Willis*, and *Whitlock* *. The last has been frequently mentioned in the Recital of the Differences between *Charles I.* and the Parliament.

1675-6. *The Nation discontinued.*

As there was to be no meeting of Parliament the next Year, the *Catholicks*, and the Court, which openly

* Author of the *Memorials of the English Affairs*, He was upon the Stage above Twenty Years, but the last Fifteen Years of his Life he lived retired.

openly protected them, were less reserved and more active. This gave great Uneasiness to the People, who besides beheld with Concern the growing Greatness of *Lewis XIV*, and the Indolence of *Charles* on that Occasion; so that it manifestly appeared, that instead of being uneasy or jealous, he saw it with Pleasure. It may be affirmed that the principal Article of *Charles II*'s Reign consisted in the lasting Opposition between the particular Interests of the King, and those of the *English* Nation. All the World saw and were sensible of it. It was the common Talk, and the Subject of daily *Libels*. The King therefore by Proclamation suppressed all *Coffee-Houses*, on pre-^{Coffee-}^{Houses} tence of their being the Places where all disaffected Persons met and devised their Calumnies against the King and Ministers. Immediately after came out another Proclamation, promising a Reward to the Discoverers of the Writers, who every Day published *Libels* in *London* against the Government. But it is seldom known that such Proclamations are attended with any great Effect, especially in *England*, where the Liberty of Speaking against the Government is more unrestrained, than in any other Country whatever.

Though all the contending Powers had the Year ^{Congress} before consented to send their Plenipotentiaries to *Nimeguen*, to treat of a Peace by the Mediation of ^{of Nime-} ^{guen.} the King of *England*, there was no great likelihood that Peace would be suddenly concluded. Sir *William Temple* and Sir *Lionel Jenkins*, the *English* Mediators and Ambassadors, had repaired to *Nimeguen* in *July*, and only found there the Plenipotentiaries of *France*, and those of the *States-General*. The Emperor, the King of *Spain*, the Elector of *Brandenburg* retarded the Negotiations of Peace, as much as was possible for them to do, in Hopes that the King of *England*, being concerned in the Preservation of the *Netherlands*, would not suffer them to fall into the Hands of the King of *France*, and that this would oblige him in the End to declare for the Allies. But it

1675-6. it was their great Mistake to think that the Interest of *England* was that of the King. This made the Proceedings of the *English* Court always unintelligible to them, or rather to the rest of the Princes of *Europe*; and it was impossible to be otherwise, as they knew nothing of *Charles's* secret Designs, and his Engagements with *France*.

1676. In the Beginning of the Campaign of 1676, the King of *France* took *Condé* and *Bouchain*, after which in *June* he returned to *Paris*, leaving his Army to the Conduct of the *Count de Schomberg*. On the other side the Prince of *Orange* laid Siege to *Maeftricht* towards the end of *July*, which gave *Schomberg* Time to take *Aire*, and march to the Relief of *Maeftricht*; whose Approach, and some other cross Accidents, obliged the Prince to raise the Siege.

Charles
tries to
procure a
separate
Peace be-
tween
France
and Hol-
land.

The Campaign being over, Men's Thoughts were wholly turned to the Negotiations at *Nimeguen*. It appeared immediately that the Design of *France* was only to divide the Allies, and make a separate Peace with the *States*. The King of *England* entred likewise into the same Design, and assisted *France* therein with all his Power, having sent Orders to *Sir William Temple* to endeavour to bring the *States* and Prince of *Orange* to give their Consent. The *States* were inclinable enough; but the Prince of *Orange* could not be prevailed upon, who took it for a betraying of the Common Cause, and of the Interests of the Princes, who had so generously engaged in the Preservation of *Holland*, which without their Assistance had been irrecoverably lost. He said that it was in the Power of his Uncle to make Peace when he pleased by declaring against *France*. But nothing was more distant from the King's Intentions, who, far from having any Jealousy of the King of *France*, did him secret Services in soliciting the *States* and his Nephew the Prince to come into a separate Peace. This discovers with what Partiality he acted the Office of Mediator.

The Hopes entertained by the Allies that *England* would at last declare against *France*, was the greatest Obstacle to the Peace. The King not being ignorant of this Hope, believed it incumbent upon him to undeceive the Allies, in order to bring them to a Peace such as *France* desired. For this Purpose he put out two Proclamations, in which, on Pretence of regulating some Things concerning the Neutrality, his Design was to make it seen that he had no Intention to depart from it.

After the King had made a Peace with *Holland*, the *French* Privateers infested the *Channel* in such a Manner, that without any Regard to the Neutrality of *England*, they seized her Ships, and, as if in open War, made Prizes of them. It was proved that they had taken Fifty Three since the Peace. At last the Violence was carried so far, that the Commissioners of Trade were obliged to represent the Matter to the King, and to pray him that he would give Order about it. The King very graciously received the Representation, and sent Orders to his Ambassador at *Paris* to make Complaints on this Occasion; but this was all the Satisfaction the Merchants could obtain. For the Court of *France* well knowing that *Charles* would not break with them for Fifty-Three Ships belonging to private Men, took no Notice of these Complaints. The Indolence of the King had however this Effect, that the People of *England* enraged to see themselves thus exposed to the Piracies of the *French*, were eager for a War with *France* to revenge the Injuries they had received, and impatiently waited the Meeting of the Parliament, which, they thought, would have more at Heart, than the King, the Interests of the Nation.

The remaining Part of this Year afforded nothing memorable besides a Proclamation published by the King, forbidding his Subjects to hear *Mas*s in the Queen's Chapel in *Somerſet-Houſe*, or in the Houses of Ambassadors. These Proclamations were always expressed in very rigorous Terms; but executed with

1676.
He endeavours to disabuse the Princess in the Alliance.

French Privateers molest the English.

The English desirous of a War with France.

Proclamation against Papists, &c.

1676.

with such Negligence, that the Frequency of them only served to shew how little desirous the King was to have his Orders strictly observed. They were usually a Preparative to the ensuing Session, but in the Intervals, the *Romish* Priests and *Jesuits*, who swarmed in the Kingdom, and all other *Papists* were sure of Impunity.

Earl of
Bristol's
Death.

This Year died *George Digby* Earl of *Bristol*, at the Age of Sixty Five Years, who has often been remembered in the Course of this History.

1676-7.
A Question
started
whether
the Par-
liament
was not
dissolved.

The King, as I said, had prorogued the Parliament for Fifteen Months, wanting a few Days. This Prorogation, the longest that was ever known, raised a Doubt whether by it the Parliament was not actually dissolved. This Doubt was owing to a Statute of *Edward III*, yet unrepealed, whereby it was enacted that a Parliament should be held once every Year, and oftner if Occasion required. This Dispute made a Noise in the Kingdom, and Books were even published on both Sides the Question. In general, the Court-Party maintained that the Parliament was not dissolved, and the contrary Party pretended that it could meet no more after an Interruption of Fifteen Months. I am of Opinion that the Interest of neither Party was much concerned in the Dispute, though perhaps some private Persons might have found their Advantage in a new Parliament.

The King's
Speech to
the Par-
liament.

The Parliament however met the 15th of *February* according to the Prorogation. The King in his Speech to the two Houses declared, " That he was
" prepared to give them all the Satisfaction and Se-
" curity in the great Concerns of the *Protestant* Re-
" ligion as established in the Church of *England*,
" that should be reasonably asked, or could consist
" with Christian Prudence. And he declared as free-
" ly that he was ready to gratify them in a further
" Security of their Liberty and Property, (if they
" could think it was wanted) by as many good Laws
" as they should propose, and as could consist with
" the Safety of the Government, without which
" there

“ there could be neither Liberty nor Property left
 “ to any Man ”. After this, counting what he
 had said to both Houses to be entirely satisfactory,
 he told them, “ That he expected and required from
 “ them, that all Occasions of Differences between
 “ the Two Houses should be carefully avoided — In
 “ the next Place he desired them to consider the Ne-
 “ cessity of building more Ships, and how much all
 “ their Safeties were concerned in it — And as
 “ they knew him to be under a great Burden of
 “ Debts, he hoped they would not deny him the
 “ Continuance of the additional Revenue of *Excise*,
 “ which was near expiring — And that they might
 “ be satisfied how impossible it was (whatever some
 “ Men thought) to support the Government with
 “ less than the present Revenue, they might at any
 “ Time see the yearly established Charge, by which
 “ it would appear that the constant and unavoidable
 “ Charge being paid, there would remain no Over-
 “ plus towards the discharging those Contingencies
 “ which might happen in all Kingdoms, and which
 “ had been a considerable Charge to him the last
 “ Year ”.

After this the Chancellor enlarged upon each of these Points ; but as his Speech only turned upon these unquestionable Truth, according to him, that the King had only the Good of his People in view ; I shall only transcribe from it this single Passage—
For the King hath no Desires but what are Publick, no Ends or Aims which terminate in himself ; all his Endeavours are so entirely bent upon the Welfare of his whole Dominions, that he doth not think any Man a good Subject who doth not heartily love his Country ; And therefore let no Man pass for a good Patriot who doth not heartily love and serve his Prince. Private Men indeed are subject to be misled by private Interests, and may entertain some vain and slender Hopes of surviving the Publick ; but a Prince is sure to fall with it, and therefore can never have any Interests divided from it. To live and die with the King is the highest Profession

*The Chan-
cellor's
Speech.*

1676-7. *your Majesty's People.* To which his Majesty answered, — " That he was of the Opinion of his
His Answer. " Two Houses of Parliament, that the Preservation
 " of *Flanders* was of great Consequence ; and that he
 " would use all Means in his Power for the Safety of
 " his Kingdom ".

1677. *A second Address.* This Answer not being satisfactory, as it said nothing positive, the House presented a second Address on the same Subject the 30th of *March*. It was in Substance much the same with the first, excepting this Addition made to it, that in case his Majesty should happen, in pursuance of such Alliances, to be engaged in a War with *France*, they should always be ready to assist him with such Supplies as might enable him to prosecute the same with Success.

The King's Answer. The King gave no Answer to this Address till Twelve Days after, when he sent a Message, " That
 " the only way to prevent the Dangers which might
 " arise in these Kingdoms, would be to put him time-
 " ly in a Condition to make such fitting Preparati-
 " ons, as might enable him to do what should be
 " most for their Security ".

A third Address. This drew from the *Commons* a third Address to the King, in which they informed him that they were preparing a *Bill* to enable him immediately to borrow Two Hundred Thousand Pounds, with Promises of new Marks of their Zeal, after the Adjournment which the approaching *Easter* would oblige them to for a few Days. The King not satisfied with so small a Sum, told them plainly, that without the Sum of Six Hundred Thousand Pounds, it would not be possible for him to answer the Ends of their several Addresses.

The King's Answer. As a great many Members were absent on Account of the expected Adjournment, the *Commons* durst not enter upon any other Money-Bills : But they desired his Majesty's Leave to adjourn, promising that afterwards they would give him full Satisfaction. The same Day, being the 16th of *April*, the King came to the Parliament, and gave his Assent to di-

vers *Acts*. The chief were, an *Act* for the raising of 584000 Pounds *Sterling*, for building of thirty Ships. ^{1677.} *Acts pass-
ed.*
2. An *Act* for an additional *Excise* upon Beer and other Liquors for three Years. 3. An *Act* for Prevention of Frauds and Perjuries.---4. An *Act* for taking away the Writ *de Hæretico Comburendo*. 5. An *Act* for erecting a Judicature to determine Differences touching Houses burnt by the late dreadful Fire in *Southwark*. Then the Chancellor acquainted the two Houses that the King gave them leave to adjourn themselves to the 21st of *May* next.

It is out of all doubt that the King had no Desire *The King's
Manage-
ment.* to begin a War with *France*, his private Engagements with *Lewis* being too strong to allow him any such Thought. Nevertheless he laid hold of the present Opportunity to draw Money from his Parliament, on the Pretence of providing for the Safety of the Nation. For that was all he had yet obliged himself to, though the *Commons* imagined that he was ready to come into their Designs, as soon as he should be assured of a Supply of Money. The Vigour with which the *Commons* acted, was owing to the Progress of *Lewis* in the *Netherlands*, and on the *Rhine*, while *Charles*, plunged in Pleasures, stood unconcerned, and by his Conduct effectually destroyed the Principle laid down by his Chancellor, that it was impossible for the King and Kingdom to have opposite Interests. The 17th of *March* the King of *France* had taken *Valenciennes*, and laid Siege to *Cambray*, while *St. Omer* was besieged by the Duke of *Orleans*. *Cambray* cost him but seven Days, and while *he* invested the Citadel, the Prince of *Orange* marching to the Relief of *St. Omer*, was defeated by the Duke of *Orleans* at *Montcassel*. *Towns taken by the
French.*
*Prince of
Orange
loses a
Battle.* This Defeat drew on the Surrender of the Cittadel of *Cambray*, and of *St. Omer*, by Capitulation, about the 20th of *April*. By this the *Spanish Netherlands* were laid open on all Sides, and they had no Refuge left for their Safety, but the Assistance of *England*. This was clearly seen by the *Commons*, and induced them to use their Endeavours

1677. to awaken the King out of his seeming Lethargy. The King knew the Danger as well, or better than his Parliament. But contrary to the Maxim of his Chancellor, the Kingdom's Danger was none of his. The more powerful the King of *France* rendered himself, the greater was his private Advantage, as it was from the Assistance of *France*, that he promised himself the Conquest of his own Kingdom. Let a Man study never so much to find plausible Reasons for the King's Conduct, and Negligence with Regard to the *Netherlands*, and the growing Power of *France*, he will meet with none, without supposing the King's Designs to be such as I have represented. The *Spaniards* therefore and *Dutch*, the Emperour, and the Princes of *Germany*, reasoned wrong, when they supposed that *Charles* would not suffer the *Netherlands* to be lost, because the Interest of *England* was concerned in their Preservation; and they were mistaken in imagining that the King was influenced by the Good of his Kingdom; whereas he had a particular Interest directly contrary to that of *England*, and that was his own, which he blindly pursued. He would have seen the last Town of the *Spanish Netherlands* lost without stirring. Nevertheless as it was also his Interest to keep his Designs out of Sight till the proper Time, for fear of provoking the *English*, and engaging his Parliament in other Measures, he pretended a Willingness to come into their Designs. But this was only an Artifice to draw Money from the Parliament, without tying himself to any Thing but the making Preparations, which properly was obliging himself to nothing at all. Such was the King's Conduct in this Affair, and the Sequel will make it still more evident.

Charles finds his Advantage in the French Conquests.

The King's Conduct.

The King presses the Money-Bill;

The Parliament meeting the 21st of May, by Virtue of the King's Proclamation, after an Adjournment of about five Weeks, the *Commons* believed the King had spent this Interval in making the Alliances they had desired, and that he would communicate the Steps he had taken to his Parliament. But he contented himself with telling them by his Secretary

Coventry,

Coventry, that he expected the House would forth-
with proceed to the Money-Bill, and the rather be-
cause he had no Intention to keep them long assemb-
led. This Message occasioned warm Debates in the
House. They were inclined to give the King the
Six Hundred Thousand Pounds he had asked, but
were willing to have something for their Money ;
whereas the King was for being sure of the Supply
before he did any Thing in the Affair so earnestly de-
sired by the Commons. Their Distrust was by no
means Reputable for him, but that was his own Fault
who had given so many Occasions for it : And there-
fore he could not think it strange. Nevertheless he
made use of it to compass his Design, and pretended
in his Turn to fear the being engaged by the Commons
in a War with France, and left to extricate himself as
well as he could, when the necessary Assistance should
be denied. On this Pretence he sent for the Commons
to Whitehall, and made the following Speech to
them :

1677.
distrusted
by the
Com-
mons.

GENTLEMEN,

I Have sent for you hither that I might prevent those
Mistakes and Distrusts which I find some are ready
to make, as if I had called you together only to get Mo-
ney from you for other Uses than you would have it em-
ployed. I do assure you on the Word of a King, that you
shall not repent any Trust you repose in me, for the Safe-
ty of my Kingdoms, and I desire you to believe that I
would not break my Credit with you ; but as I have al-
ready told you, That it will not be possible for me to
speak or act these Things which should answer the
Ends of your several Addresses without exposing my
Kingdoms to much greater Dangers, so I declare to
you again; I will never hazard my own Safety nor yours,
until I be in a better Condition than I am able to put
my self, both to defend my Subjects and offend my Enemies.
I do farther assure you, I have not lost one Day since
your last Meeting in doing all I could for your Defence,

The King's
Speech to
the Com-
mons.

1677. and I tell you plainly it shall be your fault, and not mine, if your Security be not sufficiently provided for.

Remarks
upon this
Speech.

As this Speech, purposely worded in general and obscure Terms, perfectly squared with the King's secret Intentions, it is absolutely necessary to make some Remarks upon it, in order to show distinctly and plainly both the King's Intention and Character.

First, the *Commons* had desired the King to provide for the Safety of his Kingdoms, founding their Desire upon this, that their *Safety* depended upon the Preservation of the *Spanish Netherlands*. But the King says not a Word which may oblige him to the Defence of the *Netherlands*, and contents himself with promising them upon his Royal Word, that he will provide for the Safety of his Kingdoms: This general Promise opened him a Door to get out at afterwards, by saying, that whatever he had done was for the Safety of his Kingdom.

Secondly, he supposed that the least Step taken by him to provide for this *Safety*, would put his Kingdoms in Danger, unless he had beforehand the Money demanded, which was a groundless Supposition.

Thirdly, he told them that he ought to be put into a better Condition to defend his Subjects, and offend his *Enemies*. This last Expression was an insinuation that he would enter into a League offensive against *France*, which was never his Intention, as the Reader will have Cause to believe hereafter.

Fourthly, he told them that he had not lost one Day in doing all he could for their Defence. This Expression was without meaning, since he had but just told them, that he could neither speak nor act before he had the Money which he demanded. In what therefore did his five Weeks Care consist?

Fifthly, There is but one Thing clear in this Speech, and that is, his declaring he would be sure of the Money before he began to act. By this he gave the *Commons* to understand that he pretended as justly

ly to distrust them as they had done him, though assuredly the Case was different. 1677

This Speech occasioned warm Debates in the House of Commons. The Court-Party insisted upon having the Sum, asked by the King, immediately granted to enable him to make the necessary Alliances; without which he could not be expected to move one Step in the Affair; and alledged, that the King had the same Power of making War and Leagues, as the House had in giving Money; he could not have Money without them, nor they Alliances without him. The contrary Party remarked that nothing positive was promised by the King, excepting that he would provide for the Safety of the Kingdom; this might admit of several Constructions, nor did it give any Assurance that it was to be in the way understood by the Commons. As to saying that the King would make Alliances when he should be furnished with Money, the Expression was too loose to be relied on, and the Hazard would be too great to risque a Sum of Six Hundred Thousand Pounds upon so general a Promise. But if the King would form Alliances, and communicate them to the House, he should the very Day after have the Money granted, which would be necessary for the Maintainance thereof.

This last Opinion prevailed, such was the Distrust conceived against the King. Wherefore the House came to a Resolution of presenting an Address to oblige the King to speak more plainly, and let the Commons know what they had to trust to. The Substance of this Address was:

“ That it was a great Affliction to them, to find themselves obliged to declare against the granting the Supply he was pleased to demand, conceiving it not agreeable to the usage of Parliaments, to grant Supplies for the Maintainance of Wars and Alliances, before they are signified in Parliament; from which Usage, if they departed,

They address the King.

“ the

1677. " the Precedent might be of dangerous Consequence
 " in future Times.

" That they humbly besought his Majesty to enter into a League offensive and defensive with the
 " *States General* of the *United Provinces*, against the
 " Growth and Power of the *French King*, and for
 " the Preservation of the *Spanish Netherlands*, and to
 " make other such Alliances with such other of the
 " Confederates as his Majesty should think fit and
 " useful to that End.

" Lastly, they laid before him several Reasons to
 " convince him, that in this Conjunction a War with
 " *France* was absolutely necessary, in order to oblige
 " her to leave the rest of *Christendom* in repose, and
 " promised to put him in a Condition for a vigorous
 " Maintenance of the same."

The King continues to reign a Distrust of the Commons.

Had the King really intended to stop the great Progress of the King of *France*, this Address would have been more than sufficient to have engaged him in a War with that Prince, or at least to have done something to make himself feared by him. But as nothing was farther from his Thoughts, he affected a Distrust of the *Commons*, which in reality he had not. He had undertaken the first War against the *States*, upon a like Assurance without the least hesitation: He had entered upon the second without any notice taken of his Parliament. But when a War with *France* was the Point in Hand, Jealousies of the *Commons* were pretended, which were without any Foundation, and which gave him no Concern when he was to break with the *States*. But every Thing was to be caught at rather than oppose the Progress of his good Friend, and yet he was unwilling to stop the Opportunity of the Occasion of getting a round Sum from his Parliament.

Complaints of the Address.

The House of *Commons* intended by their last Address to oblige the King to give a clear Answer. But they found themselves mistaken. The King receiving this Address the 26th of May, sent for the *Commons*

to *Whiteball*, and for Answer reproached them bitterly for invading his Prerogative in requiring him to enter into a League *Offensive* and *Defensive* with the *States-General*, "Should I, *said he*, suffer this fundamental Power of making War and Peace to be thus invaded, no Prince or State would any longer believe that the Sovereignty of *England* rests in the Crown.—Wherefore you may rest assured, that no Condition shall make me depart from so essential a Part of the Monarchy." At the Conclusion of his Speech, he declared his Pleasure to them, that the House be adjourned till the 16th of *July* next, telling them, he would give them notice by his Proclamation when he intended they should sit again, which he said, would not be till Winter, unless some extraordinary Occasion should happen.

*Adjourns
the Parliament.*

Nothing gives us a juster Notion how different the King's Interests were from those of his Kingdom, than his Conduct on this important Occasion. The *Commons* were of Opinion that for the Safety of the Kingdom, it was absolutely necessary to check the Progress of the *French King*, and preserve the *Netherlands*: For which Purpose Alliances were to be made with the *States-General* and their Confederates. This was a Self-evident Truth. The King himself did not deny it while there was hopes of getting the Six Hundred Thousand Pounds, demanded by him on pretence of putting himself into a Posture of Defending the Kingdom, which shewed at least that he believed it in Danger: But when he was sensible that the *Commons* were not to be put off with general and loose Promises, but were for something clear and explicit, the Necessity of putting the Kingdom into a State of Defence, as to his particular, vanished at once. He adjourned the Parliament for several Months, without any notice taken of the Danger with which the Kingdom was threatened, though that Danger subsisted no less after the Parliament rose, than at the Beginning of the Session. Thus the Danger was pressing to the Kingdom, when it was

1677. no longer so to the King: A clear Evidence that the King and Parliament had different Views and Interests. Wherefore on Pretence of an Attempt of the *Commons* upon his Prerogative, he took occasion to order a long Adjournment, which broke all their Measures, and almost destroyed the Hopes of the Confederate Powers of Assistance from *England*, which could not but be very advantagious to *France*. I do not think it possible to account for the King's Conduct in a manner satisfactory to the Impartial, without supposing that he expected Assistance from *France* to make himself absolute, and change the established Religion. On this Supposition, instead of being concerned to stop the Progress of *France*, it could not but be for his Interest that she should grow more powerful. Accordingly this was what he wished, as all his Proceedings manifestly showed.

*The King
uses his
Endea-
vours for
a separate
Peace.*

We learn from Sir *William Temple* himself, that whilst he was at *Nimeguen* as Plenipotentiary Mediator for a Peace, he was sent for to *London* by the King, on Pretence of making him Secretary of State; but in reality the Business was to send him to the *Hague*, to see if he could bring the Prince of *Orange* to consent to a separate Peace with *France*. But *Temple* excused himself from accepting a Commission which he had before tried to execute, but without Success. This shows with what Zeal the King endeavoured to serve *France*, which only wanted to divide the Allies by such an Expedient. It is certain that the King of *France*, though till now superiour to his Enemies, was by no means able to sustain longer a War with almost all *Europe* combined against him. It was therefore the King of *England's* Fault that a just and reasonable Peace was not made, which would have been done by his declaring against *France*, as he was desired by his Parliament. But this could never be obtained. On the contrary, fearful that the Clamours of his People would at last force him to it, he secretly laboured to procure *France* an advantagious Peace, by the Division of her Enemies,

Sir

Sir *William Temple* having refused to be employed upon this Errand, Mr. *Hyde* was sent to the *Hague* to try to gain the *States* and the Prince of *Orange*. 1677.

The King had the more Hopes of bringing the Prince to comply with his Desires, as the Prince had sometime ago sent a Proposal for his Marriage with the Princess *Mary*, eldest Daughter to the Duke of *York*, and therefore was believed incapable of denying any thing that could be desired of him with relation to the separate Peace with *France*, whilst he was pursuing his Suit. It was for this Reason probably, that the King permitted his coming into *England* to sollicite the Match in Person: but without any positive Assurance that his Courtship would be well received. The Prince could not leave the Army before the Campaign was over, and therefore arrived not in *England* till the 19th of *October*, when he landed at *Harwich*, and from thence went to the Court. The King, the Duke of *York*, the Lord-Treasurer, and Sir *William Temple*, were the only Persons who were in the secret Motive of the Prince's Journey. The Court, which was then at *New-market*, being returned to *London*, the Prince had a Sight of the Princess, and then demanded her in Form of the King and Duke of *York*, by whom his Proposal was differently received. The Duke of *York* seemed cold and upon the Reserve, and the King appeared forward to embrace it: but it was on Condition that the Prince and he should previously agree upon the Terms of a general Peace. This Condition was like to have defeated the Intention of the Prince's coming. The Prince was absolutely against speaking of a Peace till after the Marriage, and the King as resolute to form the Plan of a Peace before the Marriage should be concluded. They continued five or six Days firm in their Resolutions. The Prince acquainted the King, by Sir *William Temple* " That his " Allies, who were like to have hard Terms of the " Peace, as Things then stood, would be apt to believe that he had made his Match at their Cost, " and

Project of a Marriage of the Prince of Orange with the Princess Mary.

The Prince arrives in England.

A Difference between the King and Prince.

1677.

“ and for his Part he would never sell his Honour
 “ for a Wife.” All this was not capable to divert
 the King from his Resolution, and the Affair seemed
 upon the Point of breaking off. But all was recon-
 ciled. *Temple* paying a Visit to the Prince very late
 one Night, was told by him, “ That he repented
 “ his coming into *England*, and was resolved to be
 “ gone in two Days if the King persisted in his Re-
 “ solution of treating of the Peace before the Mar-
 “ riage; but that before he went, the King must chuse
 “ how they should live hereafter; for he was sure it
 “ must be either like the greatest Friends, or the
 “ greatest Enemies;” and he desired Sir *William* to
 let his Majesty know so next Morning, and give him
 account of what he should say upon it. Sir *William*,
 in discharge of his Commission, laid before the King
 the Danger of a Breach with the Prince, considering
 the ill Humours of so great a Number of his Sub-
 jects on account of his Engagements with *France*, and
 the Invitation made the Prince by several of them
 during the late War. The King having heard him
 with great Attention, answered—*I never yet was*
deceived in judging a Man's Honesty by his Looks—and
if I am not deceived in the Prince's Face, he is the ho-
nestest Man in the World; and I will trust him, and he
shall have his Wife, and you shall go immediately and tell
my Brother so, and that it is a thing I am resolved on.
 The Duke of York appeared a little surprized at first;
 nevertheless, he answered, That the King should be
 obeyed, and that he should be glad his Subjects
 would learn from him the Obedience which they owed
 to their Sovereign—adding, *I tell him my Opinion*
very freely upon any thing, but when that is done, and
I know his Pleasure upon it, I obey him. Immediately
 after Sir *William* waited on the Prince with the agreea-
 ble News. The same Day the Marriage-Articles
 were drawn up and agreed to, the Princess's Por-
 tion was to be 40000 *l. Sterling*, and the Day after
 the King declared the Marriage in full Council. The
 City of *London* testified an extraordinary Joy at the
 News,

The King
yields, and

the Mar-
riage is
concluded
and con-
summated.

News, and Sir *Francis Chaplin* the present Lord-Mayor invited the King to a magnificent Entertainment the 29th of *October*. The Marriage was consummated on the Prince's Birth-Day, the 4th of *November* *.

A few Days after the King, the Duke of *York*, the Prince of *Orange*, the Lord-Treasurer, and Sir *William Temple*, entered into a Conference for settling the Scheme of a general Peace, and after some Debates they agreed upon these Terms:— “ All
 “ should be restored by *France* to the Emperour,
 “ that had been taken from him in the War, the
 “ Dutchy of *Lorraine* to that Duke, and all on both
 “ Sides between *France* and *Holland*: And to *Spain*
 “ the Towns of *Aeth*, *Charleroy*, *Oudenard*, *Cour-*
 “ *tray*, *Tournay*, *Condé*, *Valenciennes*, *St. Guillaïn*,
 “ and *Binch*”. That the Prince of *Orange* should use his Endeavours to procure the Consent of *Spain*; and the King that of *France*, for which Purpose he should send some Person immediately over with the Proposition, who was to demand a positive Answer in

* *Burnet* in his Account of this Matter, says, That the Lord-Treasurer *Danby* seeing his Ruin was inevitable, if he could not bring the King off from a *French* Interest, gave the Prince of *Orange* by Sir *William Temple* great Hopes of a Marriage with the Duke's Daughter, and got the Prince to ask the King's Leave to come over to *England*. When the Prince, after a fruitless Stay for some Weeks, was going away, the Lord *Danby* pressed his Staying a few Days longer, and that the Management of the Matter might be left to him. So next Morning he came to the King and told him, he had received Letters from all his Majesty's best Friends in *England*, and showed him a Bundle of them, (which he was sure the King would not trouble himself to read.) They all agreed, he said, that the King should make a Marriage between the Prince of *Orange* and the Duke's Daughter. If not, the Parliament would certainly address for it, and so the King would lose the Thanks of it. Whereas, if the King did it of his own Motion, he would have the Honour of it. Having enforced the Thing with all the Arguments he could, the King was convinced, and sent for the Duke, who obeyed the King's Pleasure. *Danby* so ordered the Matter, that the Dutchess of *Portsmouth* could not speak with the King, before he had declared the Matter in Council. p. 409, 410

1677. in two Days. The Lord *Duras*, afterwards Earl of *Feverſham*, a Creature of the Duke of *York*, was the Perſon fixed upon to execute this Commiſſion.

The Prince returns for Holland. The Prince and Princeſs of *Orange* embarked for *Holland* ſhortly after. The King poſitively aſſured the Prince, that he would never depart from the Scheme agreed upon for a General Peace, and that if *France* reſuſed her Conſent, he would declare War againſt her. Nevertheleſs, the Prince had the Mortification before his Departure to ſee the Adjournment of the Parliament prolonged from the 3d of *December* to the 4th of *April*. *

The Adjournment prolonged.

The Court of *France* was extremely ſurprized as well with the Scheme of the Peace, as the Manner with which it was pretended to be impoſed on them. But whether the Lord *Duras* had ſecret Orders to give Hopes that the Scheme might be altered, or it was not deſpaired to gain the King of *England*, the Envoy, after ſome Days Stay more than his Commiſſion allowed, returned without an Answer, or at leaſt with one that was not to the Purpoſe. It contained only, *That the moſt Chriſtian King hoped his Brother would not break with him upon one or two Towns, upon which England had no Pretenſion, and that he would ſend Orders to his Ambaſſador at London to treat with his Maſteſty upon that Affair.* It is known that the King

* The Prince and Princeſs were hurried out of Town ſo faſt, (there being a ſecret Deſign to invite them to an Entertainment in the City by the Country-Party, which the Court did not like,) that they had ſcarce time to make Proviſion for their Journey. Being come to *Canterbury*, they repaired to an Inn, where through haſte they came very meanly provided. Upon Application to borrow Money of the Corporation, the Mayor and his Brethren, upon grave Deliberation, were really afraid to lend them any. Dr. *Tilloſon*, then Dean of *Canterbury*, hearing of this, immediately got together what Plate and Money he could, and went to the Inn to Mr. *Bentinck* with the Offer of what he had. This was highly acceptable to the Prince and Princeſs, and the Dean was carried to wait upon them. By this lucky Accident he began that Acquaintance and Correſpondence with the Prince and Mr. *Bentinck*, as advanced him afterwards to the Archbiſhoprick.

King of *France* offered Mr. *Montague*, the *English* Ambassador, large Sums for the King and the Treasurer, which were not accepted, at least openly ; but on the other Hand, the King suffered himself to be so mollified by the Offers or Artifices of *France*, that the Scheme of Peace agreed on with the Prince of *Orange*, was at last reduced to nothing, and no more heard-of.

The Plan for a Peace comes to nothing.

After the Return of the Lord *Duras* to the Meeting of the Parliament, the King was actually negotiating with the King of *France* the Terms on which he was to resist the Sollicitations of his Parliament, and prevent his declaring for the Allies. This appeared but too openly in the Parliament itself, from Letters of the Lord-Treasurer *Danby* laid before the House in 1678, by Mr. *Montague* Ambassador at the *French* Court ; and since that, a fuller Conviction has been given of this by Mr. *Montague*'s Letters, published by the Earl of *Danby* in the Reign of *William* III. I shall transcribe here the Extracts of these Letters, to convince the Reader of what I say, without relying altogether on my Word. But I am to premise that the King, after the Prolongation of the Adjournment to the Month of *April* 1678, thought it nevertheless proper to call them together the 15th of *January*, and as soon as they met, to adjourn them by a Message to the 28th of the same Month. Here are the Extracts which I mentioned.

Secret Negotiations with France.

Extract of a Letter from Mr. *Montague* to the King from *Paris*, in the Year 1677.

I Am sure the Greatness of the King of *France* is supported only by your Majesty's Connivance at what he does, and the good Will Christendom sees you have for him. The Advantage he has from it even in Point of Revenue, by his Conquests, does amount to five times the Sum you have now from him : And though after Games are hard to pay, I think I understand this Court so well,

1677. Bottom of the Letter were these Words under the King's own Hand--*This Letter is written by my Order,*

C. R.

A Remark upon the King's Conduct.

I shall make no Remarks upon these Letters, which plainly show with what Honesty the King discharged the Office of Mediator, and how much he made himself a Partizan of *France*. All that can be said in his Excuse is, that these Steps and secret Negotiations were only to get Money: But when it is considered that he would have drawn a great deal more from his Parliament, if he had pursued the right and honest Way, and might have had more left of what the Parliament would have granted him in one single Year, than he hoped to draw from *France* in Three; one can hardly forbear thinking, that, if he attached himself so blindly to the Interest of *France*, it was for hidden Designs which it was not yet time to discover. And if it is said that he only took Money from *France* to be freed from the Trouble of applying for it to his Parliament, this does but confirm that it was his Design to become absolute.

1677-8. *The King concludes Alliances with the States.*

The King had not prolonged the Adjournment of the Parliament to the 28th of *January*, for the finding Expedients for a General Peace, as the Treasurer told *Montague* in his Letter of the 26th of *January*; but to have time to receive the News of a League with *Holland*, which was actually signed the 16th of *January*. This League was very far from answering the Desires of the Parliament. It was properly only defensive, to prevent the King of *France* from pushing his Conquests farther in the *Netherlands*. It may easily be judged, considering the King's strict Amity with *France*, and the secret Correspondences between the two Courts, whether he had any great Desire to go to War with *France*, in order to oblige her to restore what she had taken. He believed nevertheless that this League would be capable

to impose upon the Parliament, and to that End he had put off the Meeting that he might first have the News of its Conclusion. Supported therefore by this League, which, according to him, was to produce wonderful Effects, he spoke the following Speech to both Houses on the 28th of *January*.

“ *My LORDS and GENTLEMEN,*

“ **W**HEN we parted last I told you, *That The King's*
 “ *before we met again I would do that which Speech,*
 “ *should be to your Satisfaction.* I have accordingly
 “ made such Alliances with *Holland*, as are for the
 “ Preservation of *Flanders*, and which cannot fail of
 “ that End, unless prevented either by the Want of
 “ due Assistances to support these Alliances, or by
 “ the small Regard the *Spaniards* themselves must
 “ have to their own Preservation. The *first* of these
 “ I cannot suspect, by Reason of your repeated En-
 “ gagements to maintain them; and I know you are
 “ so wise as to consider, that a War which must be
 “ the necessary Consequence of them, ought neither
 “ to be prosecuted by halves, nor to want such As-
 “ sistances of Perseverance as may give Encourage-
 “ ment to pursue it: Besides, it will not be less ne-
 “ cessary to let our Enemies have such a Prospect of
 “ our Resolutions, as may let them see certainly
 “ that we shall not be weary of our Arms, till
 “ *Christendom* be restored to such a Peace, as shall
 “ not be in the Power of any Prince alone to dis-
 “ turb.

“ I do acknowledge to you that I have used all
 “ Means possible by a Mediation, to have procured
 “ an honourable and safe Peace for *Christendom*;
 “ knowing how preferable such a Peace would have
 “ been to any War, and especially to this Kingdom,
 “ which must necessarily own the vast Benefits it has
 “ received by Peace, while its Neighbours only have
 “ yet smarted by the War; but finding it no longer
 “ to be hoped for by fair Means, it shall not be my

1677-8. " Fault if that be not obtained by *Force* which cannot be had by any other *Ways*. For this Reason I have recalled my Troops from *France*, and have considered, that although the *Dutch* shall do their Parts, we cannot have less on Ours than Ninety Sail of Capital Ships constantly maintained, nor less than Thirty or Forty Thousand Land-men (with the Dependencies) to be employed upon our Fleets and elsewhere. And because there shall be no Fear of misemploying what you shall give to these Uses, I am contented that such Money shall be appropriated to these Ends as strictly as you can desire. I have given Testimouy enough of my Care in that Kind, by the Progress I have made in building the new Ships; wherein, for the making them more useful, I have directed such larger Dimensions as will cost me above One Hundred Thousand Pounds more than the Acts allow. I have gone as far as I could in repairing the old Fleet, and in buying necessary Stores for the Navy and Ordnance: And in this and other Provisions, for better securing both my foreign Plantations and the Islands nearer home, I have expended a great deal more than the Two Hundred Thousand Pounds you enabled me to borrow upon the Excise, although I have not found such Credit as I expected upon that Security. I have born the Charge both of a Rebellion in *Virginia*, and a new War with *Algiers*: I stand engaged to the Prince of *Orange* for my Niece's Portion, and I shall not be able to maintain my constant necessary Establishments, unless the new Imposts upon Wine, &c. be continued to me, which would otherways turn only to their Profit to whom we least intended it.

" I hope these Things will need little Recommendation to you, when you consider your Promises in some, and the Necessity of the rest; and to let you see that I have not only employed my Time and Treasure for your Safety, but done all I could

“ to remove all sorts of Jealousies, I have married
 “ my Niece to the Prince of *Orange*, by which I
 “ hope I have given full Assurance that I shall never
 “ suffer his Interests to be ruined, if I can be assisted,
 “ as I ought to be, to preserve them. Having done
 “ all this, I expect from you a plentiful Supply
 “ suitable to such great Occasions, whereon depends
 “ not only the Honour, but, for ought I know,
 “ the Being of the *English* Nation, which will not be
 “ saved by finding Fault afterwards, but may be
 “ prevented by avoiding the chief Fault of doing
 “ weakly and by halves, what can only be hoped
 “ from a vigorous and thorough Prosecution of what
 “ we undertake. These Considerations are of the
 “ greatest Importance that ever concerned this King-
 “ dom, and therefore I would have you enter imme-
 “ diately upon them, without suffering any other
 “ Business whatsoever to divert you from bringing
 “ them to good Resolutions.”

1677 8.

It is sufficiently astonishing that *Charles II*, with *A Remark*
 more extraordinary Sums granted him than ever had *upon this*
 been granted before ; with a Revenue larger than *Speech.*
 ever had been enjoyed by any of his Predecessors,
 and, by the Calculation of the *Commons*, amounting
 yearly to Sixteen Hundred Thousand Pounds, should
 nevertheless be always in Want, poor, loaden with
 Debts, and in every Speech aiming to persuade his
 Parliament that he had expended upon the Publick
 more than had been allowed him ; and yet he had
 been only engaged in two Wars, which might have
 been easily avoided if he had pleased, and Millions
 saved to his Subjects, which these Wars fruitlessly
 consumed. But this is not the only Reflection which
 may be made upon this Speech ; there is another of
 much greater Moment.

The Speech went upon a Supposition which natu-
 rally ought to have been true, but was not. It was
 that the Alliance concluded by him with *Holland*,
 could not but engage him in a War with *France*,

1677-8. though nothing was farther from his Intention. His Aim therefore was to have his Alliance with *Holland* and the War against *France* considered as one and the same Thing, or at least the War as the necessary Consequence of this Alliance, though he had given no positive Hope or Expectation of the War; there was in reality a wide Distance between the one and the other. For if the Parliament had granted the vast Sums demanded by him, it is certain that he might have made Peace before the next Morning, without any Expence of Preparations; he had only to declare War against *France*, and Peace must have immediately followed. For *France* was by no means in a Condition to resist, if *England* had been heartily united with the rest of her Enemies. Herein the King threw his Parliament into great Difficulties. For they must either grant him the large Sums he demanded without any other hope of a future War than what was founded in a Consequence not absolutely necessary; or in refusing the same, give the King a plausible Pretence to say, that it was none of his Fault that *England* did not join with the Enemies of *France*. But the House of Commons had Men of Abilities to perceive the Artifices of the King, and to give their fellow Members warning of them. And this they might the more easily do, as above two Thirds of the House were but little inclined to trust to the King's Word.

The Commons engaged in Difficulties

The Commons address the King.

It was therefore resolved after great Debates to present an Address to the King. The Substance of which was—" That they besought him not to admit of
 " any Treaty of Peace, whereby the *French* King
 " should be left in Possession of any greater Dominion or Power, than was left him by the *Pyrenean*
 " Treaty: That no Trade be admitted with *France*,
 " or any Goods suffered to be imported from thence
 " on Pain of Forfeiture. And when he should be
 " pleased to communicate his Alliances to them in
 " Parliament, they would grant him such Supplies
 " for

“ for a vigorous Prosecution of the War, as might 1677-8.
 “ bring it to a happy Conclusion.”

This Address threw the King, in his Turn, into a great Perplexity. He was for having it believed that he intended to come to a War with *France*, though he had already resolved to free himself from it. He could not therefore give any Answer to this Address without a direct Assent or Dissent, and this is what he was desirous to avoid. To extricate himself, he had recourse to an Expedient which had served him on other Occasions. This was to complain of an Attempt from the *Commons* upon his Prerogative, in thus pointing to him the Methods he was to use, which at the same time he shewed to be ridiculous and impracticable. He said, that as his Speech was directed to both Houses, both ought to have joined in presenting the Address. That nevertheless, if, by their Assistance, he was put in a Condition to begin the War, he would never leave it, till *Christendom* was restored to such a Peace, that it should not be in the Power of any Prince to disturb it: That the Rights of making and managing War and Peace belonged solely to him, and that they were much mistaken if they thought he would ever depart from that Right: That if the *Commons* would encourage him to go further in Alliances, they must consider of raising *speedy Supplies*; for from the Consideration of those he must take his Measures.

*The King
finds away
to elude it.*

The Meaning of this Answer was easily understood, which was no other than that he studiously avoided declaring his positive Intention for a War with *France*, though he was willing to have it considered as a Consequence of his Alliance with *Holland*: An Alliance of which no body knew the Contents, and which was not yet imparted to the Parliament. He pretended nevertheless that on his bare Declaration or Information of an Alliance with *Holland*, the Parliament should enable him to keep Ninety large Ships in pay, besides Thirty others of less Note, and Forty Thousand Land-Forces.

*The Commons
sensible of his
Artifices.*

However,

1677-8. However, when the Articles of this Treaty were made known shortly after, the *Commons* voted that it in no manner answered their Desires signified to the King. It is easy to see wherein the Difference between the King and the *Commons* lay. The King feared, or feigned to fear, that the Parliament, after they had engaged him in a War with *France*, would leave him destitute of the Means to support it. The *Commons* really distrusted his Sincerity, and feared that, after he had once received the Money, he would think no more of War, but suffer an unsafe Peace to be concluded. It is left to the Reader to determine which Side was in the Right. I shall only say that, if the Reigns of *Henry III* and *Richard II* are excepted, *England* had never seen, till within the last Sixty Years, such mutual Distrust and Jealousy between her Kings and Parliaments. We can hardly impute it to any thing but this, that *James I*, *Charles I*, and *Charles II*, where no Slaves to their Word, and while they meant to save their Sincerity by general, restrained, obscure or ambiguous Expressions, they lost entirely the Confidence of their Subjects. Every King of *England* runs the Hazard of being very unhappy, when, by such Artifices, he gives Occasion to suspect the Sincerity of what he says in full Parliament.

However this be, the *Commons* resolved to grant the King a Supply, but with strict Limitations. In the Beginning of the Session they had granted him Seventy Thousand Pounds for a solemn Funeral of his Father, whose Body could not be found, though it was certainly known that it had been interred in *Windfor* Chapel. I am not certain that it was ever discovered, or the intended Obsequies performed*.

The

* Concerning the Discovery of his Body take the following Certificate from Mr. *John Sewell* a Register at *Windfor* Castle. Anno 1696, September 21, the same Vault in which King *Charles I.* was buried, was opened, to lay in a Still-born Child of the then Princess

The Earl of *Shaftsbury* after thirteen Month's Confinement in the *Tower*, was at last discharged. But not till he had begged Pardon on his Knees at the Bar of the Lord's House, as well for his Fault, as his Obstinacy in not acknowledging it *. 1677-8.
The Earl of Shaftsbury discharged.

While so much Time was spent in *England* in Deliverations about War, the King of *France* taking the Field towards the End of *February*, made himself Master of *Ghent* and *Ipres* in the Month of *March*, and then put his Forces into Quarters of Refreshment. These Conquests gave such an Alarm to the *Dutch*, that from this Time they resolved upon a separate Peace, though they durst not publicly own it. *Lewis XIV*, who well knew their Intentions, and had nothing to fear from *England*, began to talk like a Conqueror, and to form himself the Scheme of the Peace which he was willing to grant the Allies, and which was different from that agreed on between *Charles* and the Prince of *Orange*. Ghent and Ipres taken by the French.

On the other Hand, the *Commons* of *England* alarmed with the Progress of the *French* Arms, made haste to finish a Bill for the raising of Money by way of a Poll-Tax. The 14th of *March* they resolved upon an Address to the King to pray him to declare War against *France*, to dismiss the Ambassador

of *Denmark*, now our gracious Queen. On the King's Coffin the Velvet Pall was strong and sound, and there was about the Coffin a Leaden Band with this Inscription cut through it, KING CHARLES, 1648 ——— When the Body of King *Charles I*, lay in State in the Dean's Hall, the Duke of *Richmond* had the Coffin opened, and was satisfied that it was the King's Body. This several People have declared they knew to be true who were alive and then present, as Mr. *Randolph* of *New Windsor*, and others.

* He had it seems had recourse to the King's Bench, whether he was brought by a *Habeas Corpus*; but the Judges denied him Redress. This Application to an inferiour Court was soon taken notice of by the Lords, who voted it a Breach of Privilege, for which the Earl was to answer his Contempt at the Bar of the House. He was accordingly brought to the Bar, where he offered to acknowledge his asserting the Dissolution of the Parliament to be an unadvised Action, and to beg their Lordship's Pardon for his Offence in bringing his *Habeas Corpus*. Which being done in a Form prescribed by the House, he was released.

1678. nued his Levies, whether with Intention to execute his Designs without the Assistance of *France*, or in the Hope of obtaining better Conditions from *Lewis*, by terrifying him with the Apprehension of his joining with the Allies, which might still be done. By degrees he spoke more gently of War, and sufficiently declared his Inclination for Peace. In all Appearance he had adjusted Matters with *France*.

The Parliament sits.

Affairs were in this Situation when the Parliament met the 23d of *May*, after a Prorogation of Ten Days. The King opened the Seventeenth Session of this long Parliament with the following Speech :

My LORDS and GENTLEMEN,

The King's Speech.

IN the first Place I am resolved, as far as I am able, to save Flanders, either by a War or a Peace, which way I see most conducing to that End—In either way, I think it convenient to keep up my Army and Navy at Sea for some Time ; but I leave it to you to consider of Supplies for their continuance or disbanding ; and in either Case not to discourage so many *Worthy* and *Gallant* Gentlemen who have offered their Lives and Services to their Country, and that in Pursuance of your Advice and Resolutions. I must tell you, that a Branch of my Revenues is now expiring, and another Part of it is cut off by a Clause in the Poll-Bill ; that I have borrowed Two Hundred Thousand Pounds upon the Excise at your Request, of all which you are to consider. That I have no Intentions but of Good to you and my People, nor ever shall ; therefore I desire you will not drive me into Extremies, which must end ill both for you and me, and (which is worst) for the Nation. I desire to prevent all Disorders and Mischiefs that may befall by our Disagreement ; but in Case there do, I leave it to God Almighty to judge who is the Occasion of it. In Conclusion, I must tell you that I will not for the future suffer the old Course and Method of passing of Laws to be changed, by tacking together several Matters in one Bill. The rest I leave to the Lord Chancellor,

The

The Chancellor's Speech, as usual, aimed to palliate all the Steps taken by the King. As he only, in Effect, enlarged upon what the King had said more succinctly. I think it needless to insert the Speech, which offered nothing new or important.

1678.

The House of *Commons* having adjourned themselves for three Days, met again the 27th of *May*, and came to the following Resolution—"That the House taking into Consideration the State of the Nation, and the Expence occasioned by the Army, were humbly of Opinion, that if his Majesty pleased to think fit to enter into the War against the French King, the House was, and would be always ready to assist him in that War; but if otherwise, they would proceed to the Consideration of providing for the speedy disbanding of the Army."

A Resolution of the Commons.

The House further ordered, That the Members of his Majesty's Privy-Council should acquaint the King with this Vote, and to pray his speedy Answer. The King answered, "That the French King having offered a Cessation till the 27th of *July*, there was great likelihood that it would be accepted, and end in a general Peace; but that it was his Opinion the Army ought not to be disbanded before that Time." Upon this Answer the House voted—"That all Forces raised since the 29th of *September* last (except those transported to foreign Plantations) be forthwith paid off and disbanded, and that they would consider of a Supply for that Purpose." Accordingly the 4th of *June*, the House voted Two Hundred Thousand Pounds for the disbanding of the Army by the End of the Month, and the next Day they voted the same Sum towards defraying the Expences of the Fleet.

Communicated to the King.

His Answer.

A Vote for disbanding the Army.

Upon these Votes the King, by a Message, told the House that his Mind was still the same, *that the Army and Fleet ought to be kept up till the expected Peace should be concluded*; and he further recommended to their Consideration—"Whether it were not dishonourable for him to recall his Forces in
" *Flanders*

A Message from the King.

1678. " *Flanders* from those Towns which he had taken in-
 " to his Protection, before they could provide them-
 " selves of other Succours." Upon this Considera-
 " tion the *Commons* extended the Time, as to the For-
 " ces in *Flanders*, to the 27th Day of *July*.

A Vote to The 15th of *June* the House resolved, that " af-
grant no " ter the *Tuesday* following, no Motion should be
more Mo- " made for any new Supply of Money, till after the
ney during " next Recess." As hitherto the House had expe-
the Session. " rienced that the King only amused them, and aimed
 " to get the Money before he positively declared his
 " Intention, they now resolved to put him under a
 " Necessity of declaring, within Three Days, for fear
 " of being still amused by him till the Opportunity
 " was lost. Accordingly, on that very *Tuesday* the
 " King came to the House of Peers, and sending for
 " the *Commons*, told both Houses, " That the Peace
 " between *France*, *Spain*, and *Holland*, was in Effect
 " concluded, and that he could not excuse himself
 " from being a Guarantee of it. That *Spain* had
 " wrote Word, *That unless* England bore the Charge
 " of maintaining *Flanders*, even after the Peace, they
 " would not be in a Condition to support it long.

The King
acquaints
the Houses
with the
Peace of
Nime-
guen.

Demands
Money.

" Therefore to that End it was necessary to keep
 " up the Navy at Sea ; and not only so, but to
 " give the World some Assurance of being well u-
 " nited at Home : That though the House of *Com-*
 " *mons* might think such a Piece as ill a Bargain as
 " a War, because it would cost them Money, yet if
 " they seriously considered that *Flanders* had been
 " lost, and perhaps by this Time, he believed they
 " would give much greater Sums than that would
 " cost, rather than the single Town of *Ostend* should
 " be in *French* Hands, and Forty of their Men of
 " War in so good a Haven, over-against the Ri-
 " ver's Mouth." Then he insinuated to them,
 " That they could not but be pleased to understand
 " the Reputation *England* had gained Abroad, by
 " having in Forty Days raised an Army of Thirty
 " Thousand Men, and prepared a Navy of Ninety
 " Men

“ Men of War ; therefore, if they desired to keep
 “ up the Honour of the Crown at Home, and look
 “ to the Safety of the Ballance of Affairs Abroad ;
 “ if they desired he should pass any Part of his Life
 “ in Quiet, and all the rest in Confidence and Kind-
 “ nefs with them, and other future Parliaments,
 “ they must find a Way not only to settle for his
 “ Life his Revenue as at *Chriftnas* last, but also to
 “ add a new Fund of Three Hundred Thousand
 “ Pounds *per Annum*, upon which he would pass an
 “ Act to settle Fifty Thousand Pounds upon the
 “ Navy and Ordnance ; and should be likewise rea-
 “ dy to Consent to all such Laws as they should
 “ propose for the good of the Nation.” He lastly
 reminded them, “ to enable him to keep his Word
 “ with the Prince of *Orange* in the Payment of his
 “ Niece’s Portion, which was Forty Thousand
 “ Pounds ; the first Payment being now due and
 “ demanded by him.”

1678.

*And an
 augmentation
 of his
 Revenue.*

Would not any one think, who reads this Speech, that the King had hitherto kept the Ballance of *Europe* in a perfect Equality, and upon that had right to demand Money to enable him to preserve it ? Would not one think that he had done the Nation some important Service, which required, in acknowledgement, a yearly Augmentation to his Revenue of Three Hundred Thousand Pounds ? But the *Commons* were so used to such Speeches, that they left no great Impression behind them. If their Distrust of the King had been hitherto great, it may with Assurance be said, that it was increased when they saw a Peace concluded, which, in Effect, diminished nothing of the great Power of *France*, but left *Europe* still exposed to the Mercy of that Crown. The World was convinced that it was in the King’s Power to have procured a more advantageous Peace, but that he never so much as desired it. After this it is not strange that his strict Union with *France* was suspected to conceal Designs which were not for the Benefit of the Nation. Therefore, when the House

1678. of *Commons* came to debate on the Additional Revenue demanded by the King, it was unanimously rejected. Moreover the House refused to give a Compensation for the Loss sustained by the King in the Prohibition of *French* Commodities. And the Lords having passed the *Bill* for disbanding the Army, with an Enlargement of the Time prefixed for one Month longer, the *Commons* absolutely refused their Consent to the Amendment.

The King perceiving by this, what he was to expect from the *Commons*, came to the Parliament the 15th of *July*, and gave the Royal Assent to several *Bills*, of which these were the Principal.

Acts passed.

1. An *Act* for granting a Supply of six Hundred Thousand Pounds for disbanding the Army and other uses therein mentioned. 2. An *Act* for granting an additional Duty to his Majesty upon Wines for three Years. 3. An *Act* for burying in Woollen. This *Act*, which is still in force, is greatly serviceable to the Flannel Manufacture, and consequently makes a great Consumption of Wool.

The Parliament prorogued.

These *Acts* passed, the Chancellor acquainted the Houses, that the King thought proper to prorogue them to the first of *August*, and to keep them in Call by short Prorogations till towards Winter, unless there was Occasion for their assembling sooner. Thus ended the seventeenth Session of this Parliament. And thus likewise *England* saw herself engaged in an Expence of Six Hundred Thousand Pounds to pay an Army and Fleet, which assuredly had not been prepared with Design to make War with *France*, or for the Security of *England*.

*A Difficul-
tury started
ed relating
to the E-
vacuation
of some
Towns by
the French.*

While the Parliament was sitting, the *States-General* seeing that nothing was to be hoped for from *England*, negotiated a Peace with *France*, both for themselves and *Spain*, with regard to the *Netherlands*. All Things being at last adjusted, and the King of *France* having engaged himself to surrender back to the *Spaniards*, *Ghent*, *Aeth*, *Charleroy*, *Oudenard*, *Courtray*, and *Limburg*, the *States* gave Orders to their Plenipotentiaries

nipotentiaries at *Nimeguen* to sign the Peace the last Day of *June*. The World was in Expectation of hearing that the Peace was signed that Day. But as the Time for this Restitution had been neglected to be fixed (the *Spaniards* and *Dutch* relying on its being made immediately after the Exchange of the Ratifications) it came into the Head of the *Spanish* Ambassador to ask those of *France*, the Day before, when they would restore the Towns. To this the *French* Ambassadors positively answered, that it would not be till after the Restitution of the Towns taken from the King of *Sweden* by the Allies in the North. This unforeseen Pretension gave a stop to the Signing of the Peace, and the *Dutch* Plenipotentiaries received express Orders from their Masters not to sign unless *France* would engage to restore the six Places immediately after the Exchange of the Ratifications. But the *French* stood their Ground, and appeared resolute to continue the War, unless Satisfaction was given to the *Swedes*.

Charles being informed of this new Difficulty, and told moreover by the *French* Ambassador, that it was his Master's Intention not to evacuate the Towns in *Flanders*, dispatched immediately Sir *William Temple* to *Holland*, with full Power to sign a League with the *States*, by which both Parties should be mutually bound to continue the War for the obliging the *French* to surrender the six Towns within a certain Time. This League was actually concluded and signed the 26th of *July*, to the great Satisfaction of the Prince of *Orange*, and those who thought the Peace was too disadvantageous.

A League made between Charles and the States.

The Readiness with which this Resolution was taken by the King, very much surprized those who from his former Behaviour had no great Opinion of his Sincerity. But when it was seen that the League was concluded, and that *France* continued obstinate, it was then hoped that the War would be renewed with greater Vigour than ever, and that *England* would incline the Balance to the Side of the Allies.

1678.

It is difficult to guess at the Motive of this vigorous Resolution in the King. Some have believed that he was offended with the little Account made of his Mediation by *France*, in raising such a Difficulty on purpose to lessen the Merit of it. Others have thought that he foresaw *France* would at last comply notwithstanding her present Firmness, and that he had a Mind to acquire himself a Reputation for this Vigour amongst his Subjects, who till then strongly suspected him of having too close a Friendship with that Crown. Others again have judged, that this Resolution was taken by him in the View of drawing a large Sum from the Parliament, as he had no doubt of his being able at last to procure a Peace.

Charles
disconcerts
the Mea-
sures of
the States.

However this be, it appeared shortly after, that he repented of what he had done, and was afraid that the League concluded by him might renew the War. At the Time that they were making Preparations in *Holland* to improve this happy Conjunction, to break off the Negotiation with *France*, and to rise in their Demands, one *Du Cros*, an Agent of *Sweden* at *London*, brought an express Order from the King for Sir *William Temple*, to repair immediately to *Nimeguen*, and use his utmost Endeavours to bring the Plenipotentiaries of *Sweden* to consent to the Evacuation of the six Places within a limited Time. The King ordered him likewise to assure them, that after the Peace he would do what he could to have the Places taken from their Master restored to him. It was not difficult for Sir *William Temple* to infer from hence, that the King had no Inclination to go to War with *France*. But he was more fully convinced when he was informed from Pensioner *Fagel*, that *Du Cros* had been with the *States* Deputies, and acquainted them with the Order he had brought; to which he had added, that the Terms of the Peace were absolutely agreed between the Kings of *France* and *England*. And that from certain Expressions which he heard the King let fall, he inferred that it would be a vain Attempt to lay hold of this Conjunction to prevent

1678.

prevent it. As Sir *William* and the Penfioner could not doubt but that *Du Cros* was sent by the King, they gathered from this, either that the King had changed his Mind, or was never in earnest for a War with *France*. This obliged the *States*, instead of forming new Schemes for Peace, to sit down contented with the old one; resolved nevertheless not to sign the Treaty till the Restitution of the six Towns was assured within such a Time*.

After the League had been concluded at the *Hague*, the King of *France*, to whom it was communicated, had employed all possible Artifices to defer the Affair of the Evacuation, and to bring it to a Negotiation, with an Offer to treat of it, either at St. *Quintin* or *Ghent*. On the contrary, the *States* had expressly ordered their Ambassadors to break off the Negotiation, if the Peace was not signed by such a Day, with the Article of the Evacuation of the Towns in a limited Time. Sir *William Temple* could not reach *Nimeguen* till three Days before that which had been fixed by the *States*. On his Arrival he found very little Disposition on either Side towards signing the Peace; the *French* and *Dutch* appeared equally inflexible, and the latter would not hear a Word either of any Negotiation or Delay. At last the critical Day, the 11th of *August* came, which had been fixed by the Treaty concluded at the *Hague*, when the *French* Ambassadors departed from their Pretensions, and the Peace was signed just as the Clock struck Twelve at Night. This gave *France* the desired Satisfaction of making a separate Peace with *Holland*, which was immediately followed with one between *France* and *Spain*, and some Months after with all the Confederate Powers, except the Duke of *Lorraine*, who could never ob-

*The Peace
signed.*

* This Affair of *Du Cros* was transacted it seems, in the Dutch-ess of *Portsmouth's* Lodgings, where the Orders were dispatched one Morning, by the Intervention of the *French* Ambassador *Barrillon*.

tain his Re-establishment. It may be affirmed with great Truth, that it was the King of *England's* Fault alone that *Europe* had not a more advantageous Peace, since the Parliament was ready to grant plentifully all the necessary Supplies, would *Charles* have acted agreeably either to the Interests of *Europe* in general, or of *England* in particular. This Conduct can only be ascribed to his Passion for executing his darling Scheme of rendering himself absolute, and introducing the *Popish* Religion in *England*.

Blockade
of Mons.

The League concluded between *England* and *Holland*, the 26th of *July*, had, as I said, fixed the 11th of *August* for the Day of signing the Peace. In this Interval the King of *France* had by his General the Duke of *Luxemburg* blocked up *Mons*. All his Artifices to have the Affair of the Evacuation brought to a Negotiation, only tended to gain Time for *Luxemburg* to become Master of *Mons* before the Peace was signed. But the *Dutch* being bent to enter into no Treaty upon that Subject, the *French* General had not Time to make any great Progress before the Place. In the mean Time the Prince of *Orange* being well informed that the Peace was upon the Point of signing, and desirous to distinguish himself by some great Action, he marched directly to the Duke of *Luxemburg*, came upon him unawares, and gave him a considerable Check *. This Battle, called afterwards the Battle of *St. Denys*, being fought the 14th of *August*, three Days after the Peace was signed, gave Occasion to various Opinions concerning this Action of the Prince of *Orange*. Some said that he knew nothing of the Peace being signed. Others pretend that an Express had brought him the News ; but

Battle of
St. Dennis.

* The Prince of *Orange* in this Battle was in great Danger of being lost, had not Monsieur *Overkirk* came to his Relief and killed a *French* Captain that was just going to shoot him in the Head. The Duke of *Monmouth*, with some *English* and *Scotch* Regiments, was in that Battle. Upon News of the Peace next Day, the Duke of *Luxemburg*, with a great Compliment desired an Interview with the Prince, and they met in the Field.

but as this Express was not sent by the *States*, he was at Liberty to make use of the Advantage which offered. However it be, this was the last Action of a War which had lasted six Years, and with such fatal Success to *Holland* at first, that the Republick saw it self on the brink of Destruction.

1678.

We are now come to the Discovery of the famous Conspiracy known in *England* by the Name of the *Popish Plot*, which makes one of the principal Periods of this Reign; and has exercised so many Wits, some in supporting its Reality, others in exposing the Falsity of it. What I have been saying is sufficient to demonstrate the Impossibility for any Historian whatever, to please two sorts of Men, whose Sentiments are diametrically opposite, who have already resolved, and who from Prejudice, Religion, Passion, and Party-Interest are disposed to believe or disbelieve the *Popish Plot*. It signifies little to the Historian to be impartial if his Readers are not so too. The Sequel of this History engages me to speak of this famous Conspiracy, on which depended all the succeeding Events of this Reign. It may well be judged that I do not expect to satisfy all the World, this I take to be an impossible Thing. What therefore I propose is, the laying before the Reader the Conspiracy itself, whether true or false, the Reasons and Proofs produced in Maintenance of its Reality or Falsehood, and the having the inward Satisfaction of delivering nothing but what I believe to be true.

Observations upon the Popish Plot.

But before I proceed to the Particulars, it is absolutely necessary to clear some Ambiguities which I have observed in the Writers on both Sides, in order to put my Reader the more upon his Guard.

I. The Word *Plot* in *English*, and *Conspiracy* in *French*, are always taken in a bad Sense. Their General Signification is a *Design*, but an *unlawful Design* to attempt something unlawful against the Person of the King or his Ministers, against the Constitution of the Government, against the established Religion. In

short,

1678. an arbitrary and despotick Government, as may be seen by the Examples of *Edward II*, *Richard II*, *James I*, and *Charles I*. Now a Man may refuse to call such a Design a *Plot* if he pleases, provided he does but own the Reality of the Thing.

4. Lastly, before we come to the *Plot* it self, it is proper to observe that there are three Opinions concerning the Reality or Falsehood of it. The first is of those who believe it true in all its Branches and Circumstances. The second, of those who believe it absolutely false, and invented on purpose to exasperate the People against the King and the Duke of *York*. The Third, of those who believe it true with regard to the Design of rendering the King absolute, and altering Religion; but doubtful in that Branch of it relating to the killing of the King, and who after duly weighing the *Pro* and *Con*, think they ought to suspend their Judgement in this Particular. I thought it necessary to arm my Readers with these few Observations against the Prejudices which they may have received from the Reading of other Historians, who make no Scruple to disguise, to mutilate, or silently pass over Facts disadvantageous to their Opinion; to insist and lay great stress upon others; to insert in their Relations many Stories admitted by their Party, but supported with no Authority; to insinuate abundance of Things that have no Foundation, but their own Prejudices; in a Word, to suppose continually what they have undertaken to prove. Such Disingenuity as this would be too evident in a formal Disputation, but is easily foisted into a continued Narrative, where the Writer inserts every Thing that he believes to his Purpose.

Tongue
discovers
the Plot to
the King.

The 12th of *August*, (the Day after the signing the Treaty of *Nimeguen*) Doctor *Ezrael Tongue*, a *London* Divine, applied himself to one *Kirkby* *, who had some Interest at Court, to desire the King might be acquainted, that he had an Information to lay before

* A *Chymist* that was sometimes in the King's *Laboratory*.

fore him of a Plot carrying on against his Person. Kirkby took the Opportunity of the King's walking in *St. James's Park* the very next Day, to discharge his Commission, and was ordered by the King to bring *Tongue* before him at eight that Evening. *Tongue* was at *Whitehall* at the appointed Hour, and put into the King's Hand a Writing or Narrative, which, in Forty-three Articles, contained the Particulars of a Plot. The King after a negligent Perusal of it, told *Tongue* that he was going to *Windſor* the next Day, but would put the Paper into the Hands of the Lord-Treasurer *Danby*, on whom he ordered him to wait the next Morning.

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Accordingly on the 14th of *Auguſt*, *Tongue* waited on the Treasurer, who asked him if the Paper left with the King, was an Original or Copy. *Tongue* answered, that it was a Copy of a Writing which had been thrown into his House without his Knowledge : But that he gueſſed at the Author, becauſe there was a certain Perſon who had often entertained him upon Subjects of the like Nature. Some Days after *Tongue* returned to the Treasurer, and told him that he knew the Perſon, who had ſince put into his Hands another Narrative more large than the former, which he likewiſe delivered to the Treasurer. After the Earl had looked over the Paper, he asked *Tongue* if he knew the two Men ſpoken of in the Narrative as the Perſons deſigned to kill the King, and went by the Names of *honeſt William* and *Pickering*. *Tongue* answered, that he knew them, that they walked frequently in the *Park* together, and that if he could appoint a truſty Perſon to go along with him, he doubted not of giving him a Sight of them in a very ſhort Time. The Treasurer asked if he knew where they lodged, that they might be apprehended. *Tongue* answered he did not, but would endeavour to inform himſelf.

The Treasurer having given the King an account of what he had learned from *Tongue*, and of the Contents of the two Narratives, prayed him at the ſame

Time

1678. Time to give Orders for a Warrant, for the apprehending of *William* and *Pickering*, and that he might have Leave to inform some other Members of the Council, of an Affair which concerned his Majesty's Life. But the King would neither suffer the two Men to be apprehended, nor permit the Earl to speak of this Affair to any Person living, and particularly to the Duke of *York*.

who forbids the Publication of it.

Some Days after, *Tongue* told the Lord-Treasurer that he knew where *bonest William* and *Pickering* lodged: That moreover some of the intended Assassins were to go within two Days to *Windsor*; but that he would give Notice of the Time designed for their Journey, that they might be arrested upon their Arrival. But some Time after he pretended that the Journey had been prevented by an Accident to one of their Horses. The King from this concluded the whole to be a Fiction, and though the Truth might easily have been come at by apprehending the two Men, whose Lodgings were known, he would never permit, either that they should be apprehended, or that the Affair should be communicated to any one Member of the Council, saying, *He should alarm all England, and put Thoughts of killing him into People's Heads who had no such Thoughts before.*

This Reason being as weak as was possible, nothing else is to be inferred from the King's Conduct, but that he either believed not the Plot, or had some Interest to show that he did not believe it.

Forged Letters directed to Beddingfield, a Popish Priest.

Three Days after *Tongue* wrote to the Earl of *Danby*, that a Packet of Letters was to go to the Post-House at *Windsor*, directed to one *Beddingfield* a Priest *. The Pacquet came indeed, and *Beddingfield* after reading it, carried it to the Duke of *York*, telling him, *He feared some Ill was intended him by the said Pacquet, because the Letters therein seemed to be of a dangerous Nature, and that he was sure they were not the Hand-Writing of the Persons whose Names were subscribed*

* The Duke of *York*'s Confessor.

scribed to the Letters. The King being confirmed more and more in the belief that there was nothing real in the pretended Plot, seemed resolved not to permit the Papers or Informations received from *Tongue* to be produced. But the Duke of York was so very earnest to have the Letters directed to *Beddingfield*, examined by the Council, that the King at last consented, and at the same Time the Treasurer declared the Information received from *Tongue*, and so the Affair became Publick.

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I have hitherto made no mention of the famous *Titus Oates*, the principal *Affor* in this *Play*, because having resolved to advance nothing my self but what I believe to be exactly true, I thought it not incumbent on me to adopt every Thing said concerning him; and his secret Conferences with Doctor *Tongue*, of which not one Voucher is produced. Nevertheless I think my self obliged to give here in brief, what has been advanced by others, though with no other Certainty than their own Testimony.

“ *Titus Oates* was the Son of a Ribband-Weaver, Account of Titus Oates. Echard, p. 944.
 “ who afterwards turning Anabaptist-Preacher, and
 “ being Chaplain to a Regiment of *Cromwell’s*
 “ Forces in *Scotland*, was there clapt up in Prison
 “ upon *Overton’s* Plot against that Usurper; but
 “ having the Fortune to escape upon the King’s Re-
 “ storation, he conformed to the Church, and got
 “ the Living of *Hastings* in *Sussex*; where he conti-
 “ nued till he thought fit to return again to his for-
 “ mer Anabaptistical Station. This Son of his had
 “ his first Education in *Merchant-Taylor’s* School in
 “ *London*, and next in the University of *Cambridge*,
 “ where he was Student in two Colleges, *Caius’s* and
 “ *St. John’s*, and where he left no Reputation behind
 “ him for his Parts or Learning; though he seemed
 “ distinguished for a tenacious Memory, a plodding
 “ Industry, and an unparalleled Assurance, besides
 “ a particular canting Way that appeared in his Aca-
 “ demical Exercises, Removing from thence he slip-
 “ into

1678.

“ into *Orders*, and for a while officiated as Curate
 “ for his Father; after which he enjoyed a small Vi-
 “ carage in *Kent*, from whence he removed to ano-
 “ ther in *Sussex*, and after that for some time got in-
 “ to the Duke of *Norfolk's* Family, when he parti-
 “ cularly sided with the *Socinians* at *London*; so that
 “ he became very uncertain as to his Principles and
 “ Religion, and infamous as to his Morals. In the
 “ last Year, 1677, being abandoned and destitute
 “ of common Necessaries, he fell into the Acquain-
 “ tance of Dr. *Ezrael Tongue*, a City Divine, a Man
 “ of Letters, and a prolifick Head, filled with all
 “ the *Romish* Plots and Conspiracies since the Refor-
 “ mation. This Man was remarkable for his Parts
 “ and great Reading, but of a restless and humour-
 “ ous Temper, full of Variety of Projects, and
 “ scarce ever without a Pen in his Hand, and a
 “ Plot in his Head. At first he seemed to entertain
 “ *Oates* out of Charity, who then went by the Name of
 “ *Ambrose*; and complaining that he knew not where
 “ to get Bread, the Doctor took him to his House,
 “ gave him Cloaths, Lodging and Diet, and told
 “ him *he would put him in a Way*. After which, find-
 “ ing him a bold Undertaker, he persuaded him to
 “ insinuate himself among the *Papists*, and get par-
 “ ticular Acquaintance with them: Which being ef-
 “ fected, he let him understand, that there had been
 “ several Plots in *England* to bring in *Popery*, and
 “ if he would go beyond Sea amongst the *Jesuits*,
 “ and strictly observe their Ways, it was possible
 “ there might be one at present; and if he could
 “ make that out, *it would be Preferment for ever*:
 “ But however, if he could get their Names, and
 “ some Informations from the *Papists*, it would be
 “ easy to rouse People with the Fears of *Popery*.”

Pursuant to this Advice *Oates* reconciled himself to the Church of *Rome*, and moreover, according to some, entered into the Society of the *Jesuits*. In April 1677, he was sent to *Valladolid* in *Spain*, where he remained

remained six Months, and then returned to *England*. After a Month's Stay he was sent to *St. Omer's*, the *English* Seminary, for farther Discoveries. In short, towards the End of *June*, in the same Year, he came back into *England*, and repaired to his Friend *Tongue*, furnished with Materials picked up at *St. Omer's*. Out of these Materials *Tongue* and *Oates*, at several Conferences together either at *London* or in a hired House at *Lambeth* *, framed the Papers or Narratives delivered by *Tongue* to the King and the Lord-Treasurer *Danby*, as Copies of what *Oates* had written with his own Hand.

I omit a great many Circumstances of what is said to pass between *Tongue* and *Oates*, which seem to suppose either that there was some Third Person who related all these Particulars, or else that One of the Two discovered the whole before his Death. The Intent of his Recital is, as may easily be seen, to persuade the World that *Tongue* and *Oates* were the Inventors of this Plot which made so much Noise afterwards, and never existed but in their Brains. It must be owned that were this Recital well proved, it would be a sufficient Evidence that the Plot discovered by *Oates* was all a Fiction. In it we see *Tongue* a *Divine*, who (having a prolifick Head filled with all the *Romish* Plots and Conspiracies since the Reformation) fancies it is possible there may be one at present. He persuades *Oates* to insinuate himself among the *Papists*, turn *Catholick*, and be entered into the Society of the *Jesuits*, in order to have Opportunity to make Discoveries. *Oates* complies, returns from *St. Omer's*, full freighted with Materials, out of which these two Men draw up a Narrative of a horrid Plot against the Person of the King, the Government, and the *Protestant* Religion, and *Tongue* undertakes to deliver it to the King. If all this be true, there is need of no other Proofs, this alone is sufficient to demonstrate

* One *Lambert's* House at *Fox hall*, called afterwards the *Plot-House*.

1578. demonstrate that the Plot was all a Sham and Fiction. And therefore if ever there is Reason to give the Readers some Certainty of what is advanced in so particular and circumstantial a Manner, it must be in such Cases as this, which alone determines the Point in Question. But I must warn the Reader that those who have advanced these Facts have not vouchsafed to give the least Proof thereof. They do not say, that they were received from such or such Persons then living. They cite no Authors who were before them, nor, in short, produce one Voucher of what they advance concerning Facts, which naturally could not come to their Knowledge but by some extraordinary Means. This Plot is a Design managed between *Tongue* and *Oates* alone, without the Intervention of any Third Person. It is certain that neither *Oates* nor *Tongue* revealed these pretended Particulars before their Death, or ever retracted their Informations. It is therefore but reasonable to put those who have reported their secret Conferences with such particular Circumstances, upon producing some Authority in Maintenance of what they have advanced.

Here is the Substance of the Writing delivered by *Tongue* into the King's Hands, in form of a Deposition. It was *Titus Oates* that was the Speaker, though he had not signed it, and though it appeared without his Name.

The Sub-
stant of
T. Oates's
Narra-
tive.
Echard,
P. 945.

“ That in *April 1677*, the said Deponent was employed by *Strange*, the then Provincial, *Fenwick*, *Harcourt*, and other Jesuits in *London*, to carry their Letters to one *Father Suinam* an *Irish* Jesuit, at *Madrid* in *Spain*: That in his Journey he broke open the said Letters, and found therein an Account given of what Jesuits they had sent into *Scotland* to encourage the *Presbyterians* to rebel; and that they feared not Success in their Designs, by Reason of the King's being so addicted to his Pleasures, and their Interest in the Duke of *York*, &c. That he saw several Students sent out of Eng-
“ land

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“ *land to Valladolid*, who were obliged by the Jesuits
 “ of the College to renounce their Allegiance to his
 “ Majesty of *Great-Britain*; and that one *Armstrong*,
 “ in a Sermon to the Students there, did with most
 “ false and black-mouthed Scandals represent his said
 “ Majesty, using such irreverent, base Expressions,
 “ as no good Subject could repeat without Horrour;
 “ with several other traiterous Words and Corresponden-
 “ dencies which he there discovered. Being returned
 “ to *England*, where he made farther Discoveries;
 “ about the Beginning of *December*, the said Depo-
 “ nent was sent with another treasonable Letter,
 “ written by *Strange* and several other Jesuits, to St.
 “ *Omer's*, wherein was expressly mentioned their De-
 “ sign to *Stab* or *Poyson* the King; and that they had
 “ received Ten Thousand Pounds from *la Chaise*,
 “ which was in the Hands of one *Worsly* a Goldsmith
 “ in *London*. There was likewise inclosed a Letter
 “ of Thanks to Father *la Chaise*, which the Depo-
 “ nent carried to him from St. *Omer's* to *Paris*. Du-
 “ ring this his Journey, and being abroad, he saw
 “ and read many other Letters, all tending to the
 “ same End of cutting off the King, subverting the
 “ present Government of *England*, and restoring the
 “ *Romish* Religion; and they were so confident as in
 “ some of them to say, *That his Majesty of England*
 “ *was so possessed of their Fidelity, that if any Male-*
 “ *contents amongst them should not prove true, but offer*
 “ *to discover, he would never believe them.*”

But one of the principal Things he tells us in this
 Narrative was, “ That *April* 1678, he came over
 “ from St. *Omer's* with more *Jesuits*, to the grand
 “ Consult which was held the 24th of that Month,
 “ by about Fifty *Jesuits*, at the *White-Horse* Tavern
 “ in the *Strand*, where they met and plotted their
 “ Designs for their Society: From whence they dis-
 “ persed into several Clubs, five or six in a Com-
 “ pany, where they signed a *Resolve for the Death of*
 “ *the King*, with the Manner how it was to be done,
 “ which the Deponent, as a Messenger, carried from
 “ one

1678. “ one Company to another to be signed. Very
 “ shortly after he returned to *St. Omer's*, and towards
 “ the End of *June* came back to *England*; where he
 “ soon became privy to the Treaty with *Wakeman* to
 “ poyson, and *Honest William* and *Pickering* to shoot
 “ the King; and that he heard *Keins* a *Jesuit* preach
 “ a Sermon to Twelve Persons of Quality in Dis-
 “ guise; wherein he asserted, *That Protestant and*
 “ *other beretical Princes were ipso facto deposed, because*
 “ *such, and that it was as lawful to destroy them, as*
 “ *an Oliver Cromwell, or any other Usurper, &c.*”

Besides these new Discoveries, he tells-us that he learnt several other remarkable Particulars from them, as, “ That the late Wars, and many other Mischiefs
 “ were brought about by them; but more particu-
 “ larly the dreadful Fire in Sixty-six, which was prin-
 “ cipally managed by *Strange* the Provincial; in
 “ which their Society employed Eighty or Eighty-
 “ six Men; he could not tell which, and spent
 “ Seven Hundred Fire-balls, and, over and above
 “ all their vast Expence, They were Fourteen Thou-
 “ sand Pounds Gainers by the Plunder, amongst
 “ which was a Box of Jewels, consisting of a Thou-
 “ sand Carracts of Diamonds. He farther learnt
 “ that the Fire in *Southwark* in the Year 1676, was
 “ brought about by the like Means; and though in
 “ that they were at the Expence of a Thousand
 “ Pounds, they made a Shift to get Two Thousand
 “ clear into their own Pockets.”

*The Coun-
 cil pays no
 regard to
 this Dis-
 covery.*

It has been seen before that this Deposition was at last communicated to the Council by the King's Permission. Probably the King so managed Matters, that the Council took no great Notice of this Affair, and believed the Discovery to be a Forgery. After that, the Lord-Treasurer seeing he was clear of the Business when it was imparted to the Council, he no longer gave Ear to *Tongue*, but when he came dismissed him either unheard, or with injurious Language. This made *Tongue* and *Oates* resolve to bring this

this Affair before the Parliament. But as they had
 cause to fear that the Court might find some way to
 suppress this Deposition, or make it pass for a
 Writing without Name, and unsupported by any
 Authority, they applied to Sir *Edmundbury Godfrey* a
 Justice of Peace in *St. Martin's* Parish, and *Oates* re-
 quired him to swear him; that the Paper which he
 put into his Hands contained Matters of Treason,
 and other High-Crimes. *Godfrey* was unwilling to
 grant their Request, and the rather, because he was
 not suffered to read the Particulars. But at last upon
Tongue's deposing upon Oath that he had himself com-
 municated a Copy of the same to the King, *Oates's*
 Oath was taken, and a Certificate of it given to him.
 This was the 6th of *September*.

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Tongue
 and *Oates*
 take Mea-
 sures to
 bring the
 Affair be-
 fore the
 Parlia-
 ment;
 and in or-
 der to it
 apply to
Godfrey
Justice of
Peace.

Sometime after the King being returned to *White-*
hall, whether the Council had been informed of the
 Resolution taken by *Tongue* and *Oates*, or the King
 feared his Negligence in an Affair which concerned
 himself and the Publick might be censured, or from
 some other Motive, he resolved to have the Business
 examined to the Bottom. For this purpose, the 27th
 of *September*, six Weeks after the King had received
 the first Information, the Council gave Order to have
Tongue brought before them. But *Tongue* not coming
 till the Council was risen, the Examination was put
 off till the next Day. In this Interval *Tongue* took
 another Copy of *Oates's* Deposition, and, it is pre-
 tended, inserted several Articles which were not in the
 first, but not one of these new Articles is specified.
 However that be, this was the Copy which was after-
 wards made publick under the Title of *Oates's Nar-*
rative. This Copy being finished, *Tongue* and *Kirkby*
 carried it to Sir *Edmundbury Godfrey* the Justice, and
 left it in his Hands *.

The Coun-
 cil calls
 before it
 the Affair
 of the
 Plot.

* He took two Copies more which were sworn to, and whereof
 one was left with the Justice.

1678.
Provides
for the Se-
curity of
the In-
formers.

Several of
the Conspi-
rators ap-
prehended.

Conserva-
tion of the
People.

The Mur-
der of Sir
Edmund-
bury God-
frey.

The Day following the Council examined *Tongue* and *Kirkby*, and then ordered *Oates* to be called in. After all Three were examined, *Tongue* and *Oates* had Lodgings assigned them in *Whitehall* by Order of the Council, with a good Guard for their Security, and a weekly Salary for their Subsistence. And now the Privy-Council, for above a Week, sate twice a Day on this Affair, and employed *Oates* as he was the first Informer three successive Days and Nights to find out and seize the Persons of the Conspirators, and secure their Papers. By his Means, and upon his Depositions, Sir *George Wakeman* the Queen's Physician, Mr. *Edward Coleman* the Duke of *York's* Secretary, Mr. *Richard Langborn*, *Thomas Whitebread*, *John Gawen*, *Anthony Turner*, *William Ireland*, *William Marshal*, *William Ramsey*, *William Marshal*, *James Corker*, *Thomas Pickering*, and many others were taken up. The Eight last were *Romish* Priests or Jesuits. In *Coleman's* House were found Letters which gave great Credit to *Oates's* Testimony, and will be afterwards remembred *.

Though no Particulars of the Plot had yet been made Publick, the People were, nevertheless, informed in general, that the Design of it was to kill the King, subvert the Government, and change the established Religion. The Imprisonment of so great a Number of *Roman Catholicks* suggested that they were at least suspected of having a Hand in it. This was sufficient to make them believed the sole Authors of the Plot. But an Accident which fell out a few Days afterwards so rivetted this Belief in the People's Minds, that nothing was able to shake it. This was, that Sir *Edmundbury Godfrey*, who had

* *Coleman*, says *Burnet*, had a whole Day free to make his Escape, if he thought he was in Danger. And he had conveyed all his Papers out of the way: Only he forgot a Drawer under the Table, in which the Papers relating to 1674,—75, and part of —76, were left. Had he withdrawn all his Papers nothing had appeared, had he left all, it might have been concluded, that the whole Secret lay in them, p. 426.

had sworn *Oates* to his Narrative, after having been missing four Days, was found dead in a Ditch about a Mile out of *London* *, with his Sword thrust through his Body, his Cane and Gloves lying by him, Rings upon his Fingers, and Money in his Pocket. The *Coroner's* Inquest sat upon the Body, but meeting with some Difficulties, adjourned to the Day following, when, upon the Opinions of Surgeons, they gave up their Verdict " That he was murdered by certain Persons unknown to the Jurors, " and that his Death proceeded from Suffocation " and Strangling; and that his Sword had been " thrust through his Body some time after his " Death, and when he was quite cold, because not " the least Mark of Blood was seen upon his Shirt, " or his Clothes, or the Place where he was found ". Though it was not impossible that this Murder might have been acted by other Hands than those of the *Papists*, they were nevertheless so readily and publicly accused of it, that it was not safe to deny it, and the People drew from it an invincible Proof of the Plot, and an Assurance of the *Papists* being the Authors. It could not be conceived what Interest *Protestants* could have in the Murder of this Person; but it was obvious that *Papists* might do it in Revenge for his having sworn *Oates* to his Narrative. The People were universally incensed against them, and the Court cared not to protect them openly. It passed therefore for a Certainty that the *Papists* were *Godfrey's* Murderers; and positive Evidence of the Fact will be met with hereafter. But as a few Years gave a new Face to Affairs, the *Papists*, and Friends of the Court found Means to give another Turn to this Murder. First, they raised strong Objections to invalidate the Depositions of the Witnesses. Secondly, They observed that the Death of Sir *Edmundbury Godfrey* could be of no great Service to them, since he only swore *Oates* to

The Papists accused of it.

* Near St. *Pancras* Church.

1678.

his Narrative, and from that Time to his Death concerned himself no farther in the Business. Thirdly, They insinuated that *Godfrey* had murdered himself out of fear of being hanged for his so late Discovery of his Knowledge of the Plot. Fourthly, and which they laid the great Stress upon, they urged that *Godfrey* had been murdered by *Protestants*, in order to throw the Odium of his Death upon the *Papists*. Now as the *Papists* had no Interest to make known this Murder, it is pretended that it was kept secret till the Body was found, and then published by those who committed the Deed, with a View of charging *Papists* with it. But though it were true, that the whole City was filled with the Rumour of *Godfrey's* Murder the Day after he disappeared, it seems to me that the Consequence drawn from thence would not be necessary. Thus much is certain, that *Godfrey* was murdered, and that the *Papists* were charged with the Deed, as long as the *Protestant* Party prevailed; but that when Affairs had taken a new Turn, the Court-Party did, and still do accuse the *Protestants* thereof*.

However this be, the King, who was then at *Newmarket*, returning to *London* to hold the Parliament, issued out a Proclamation with the Promise of a Reward of Five Hundred Pounds to the Discoverer of the Murderers of Sir *Edmundbury Godfrey*. But as this Proclamation had but little Effect, because it was suggested that the Discoverers would be in Danger of an Assassination; the King put out a Second, with an Assurance of his Protection to those who should make the Discovery.

In

* The Bishops *Lloyd* and *Burnet* went to view the Body, and besides the Circumstances above-mentioned, observed that his Shoes were clean. A Mark round his Neck an Inch broad. His Breast all over bruised, and his Neck broken. There were many Drops of white Wax-Lights on his Breeches, which he never used himself. And since only Persons of Quality or Priests, use those Lights; this made all People conclude in whose Hands he must have been, p. 429.

In the mean time the King was exceedingly perplexed. He had at first used all possible Endeavours to stifle the Noise of this Conspiracy in concealing it from his very Council: But was forced at last to consent to have it imparted to them. And the Precautions taken by *Tongue* and *Oates*, in putting the Deposition into the Hands of a Justice, had obliged the Council to take Precautions likewise for their own Sakes, and cause a great many Persons to be put under Arrest. The Murder of Sir *Edmundbury Godfrey* happening upon this, and the whole Kingdom being alarmed at it, there was no Possibility of stifling the Noise which had reached the most distant Parts. The King therefore resolved to take the only Course left him, which was to prevent, if possible, this Affair from coming before the Parliament. He was not ignorant of the ill Terms in which he stood with the House of Commons. The Transactions of the last Summer made him very sensible that he was suspected of Designs prejudicial both to Church and State, and all his Proceedings had given but too just Grounds for this Suspicion. He dreaded therefore very justly the Parliament's Inquiry into this Plot, believing that a Care pretended for the Safety of his Person, might bring many Things to light which it was his Interest to have concealed. For, as I have already remarked, this Plot contained Three Articles or Designs; namely, the Killing of the King; the Subversion of the Government; and the Change of the established Religion. In all Appearance the King believed nothing of the first, but he could not be ignorant of the two last. Nay, his whole Conduct had made this so clear, that all the Kingdom was in a manner convinced of it. To avoid therefore so dangerous a Discussion, he resolved to take from the Parliament the Examination of the Plot. For this purpose he expressly commanded the Earl of *Danby*, his prime Minister, not to acquaint the two Houses with any Thing that had passed through his Hands, and re-

1678.
The Treasur-
er commu-
nicates
the Plot
to the
Council.

The King
endea-
vours to
conceal it
from the
Parlia-
ment.

3678. no unknown Person might have Access to his Majesty.

It is to be observed that these Three Addresses were all founded upon the Discovery of the Plot, and that both Houses did not confine it to the single Design of killing the King, but expressly added the two others, of subverting the Government, and changing the established Religion. This is a Remark which ought to be carried through the whole Process of this Affair. For on no one Occasion did the Two Houses separate these Three Particulars, a sure Sign that they believed the Plot was not wholly confined to the Design of killing the King, as some would have it understood.

*Oates
examined
by the
Commons.*

The same Day that the Third Address was presented, that is to say the 24th of *October*, three Days after the opening the Session, *Oates* was examined in the House of *Commons* Six or Seven Hours. After his Examination, he was several Times interrogated according to Custom, *Whether he knew any Thing more of the Plot, or any other Persons concerned in it, than what he had already mentioned*; to which he solemnly answered *he did not*; nevertheless he afterwards added several Things to this Deposition. As this is one of the Objections brought against *Oates's* Evidence, it will not be improper to stay a Moment, and give the Reader the Substance of what has been said *Pro* and *Con*.

*An Ob-
jection
against
Oates
remarked
upon.*

First, Therefore it is said that *Oates* having been examined upon Oath by the House of *Commons*, and assured them that he knew no more of the Plot, could not afterwards bring a fresh Testimony against other Persons, without incurring the Guilt of Perjury. To give the greater Weight to this Objection, it is said that he was *solemnly interrogated* Whether he knew any Thing more, and that he answered as *solemnly*, That he did not. But this Word *solemnly* is only put in to aggravate the Imputation of Perjury. For it is easy to perceive, that a Witness is never, upon his first Hearing, asked whether he has any
more

more to add, with greater Solemnity than the Questions were put to him, upon which he has deposed. It is besides replied to this Objection, that the Oath which Oates had taken before he was interrogated, properly reached only to the Facts which he was to depose, and not at all to the Question asked after his Deposition, Whether he knew any Thing more of the Plot. Wherefore the Charge of Perjury falls to the Ground, unless it can be proved that he had a new Oath tendered him upon the last Question.

It is answered in the second Place, that this Objection having been made to Oates on another Occasion, he answered, That having been Three Days and Three Nights without Sleep when he was examined by the Commons, and that Examination having lasted more than Six Hours, it was by no Means strange, that his Memory did not at the first Hearing recollect every Thing which he had to say. I leave it to the Reader to consider the Objection, and the Answer made to it.

I cannot forbear observing here one Illusion put upon his Readers by a celebrated Historian *, in saying, *That he began so much to abound with new Discoveries, that some began to suspect his Veracity.* Therefore, adds the Historian, *to put an End to all such Doubtings, on the 31st of October, the Commons resolved Nemine contradicente, "That upon the Evidence that* *An Historian refused in relation to Oates.*
"has already appeared to this House, this House is of Opinion, That there is, and hath been a damnable and hellish Plot contrived and carried on by Popish Recusants, for assassinating and murdering the King, for subverting the Government, and rooting out and destroying the Protestant Religion". *A Vote of the Commons.*

Besides, that this Author, in making the Commons to be induced to this Vote by no other Motive but a Desire of putting an End to all Doubtings of Oates's Veracity, boldly strikes at the Integrity of the House.

1678. House; it may be demonstratively proved, that this could not be their Motive, since the Witness added nothing to his first Deposition in the Six Days which passed betwixt his Examination and the *Commons* Vote. This Reflection was intended by me to let my Reader see with what Care and Precaution he ought to read the Historians which have writ upon the Affairs of that Time.

This Vote having passed in the House of *Commons Nemine Contradicente*, they ordered, "That this
 "Vote be communicated to the Lords at a Conference, and that the Lords be desired to join with
 "this House in providing Remedies for the Preservation of his Majesty's Person and Government,
 "and the *Protestant Religion*." Two Days after, in a Conference between the two Houses, upon the Subject of the last Vote of the *Commons*, this Report was made — "The Lords have considered the Vote
 "of the House of *Commons* communicated to them
 "at the Conference, and have most readily and unanimously concurred with them in it, *Nemine Contradicente*, and their Lordships are very glad
 "to see that Zeal which the *Commons* have shewed upon this Occasion, and do fully concur with them, *That the most speedy and serious Considerations*
 "of both Houses are necessary for Prevention of the imminent Dangers. In order whereunto their Lordships have resolved to sit *de Die in Diem*, Forenoon
 "and Afternoon, and desire that the House of *Commons* will do the same".

A Presumption for the Reality of the Plot.

If this prove not the Reality of the Plot, it however proves that the two Houses were convinced of it, since there was not the least Division upon this Article. To be able therefore to deny that the Plot was real, it must be said either that all the Members of both Houses were grossly mistaken, or that they acted out of a Spirit of Prejudice and Party, to give Vexation to the Court. But for what Reason could they hope to give this Vexation, if they had not suspected the King to have been the principal Contriver

Contriver of the Plot, though doubtless He had no Hand in that Part of it which related to the Attempt upon his Life; and which, as I have already said, was only an Appendage and Consequent to the Plot, or at least was considered only as such. 1678.

The same Day that the Commons examined *Oates*, they sent for the Lord Chief-Justice *Scroggs*, who took his Examination upon Oath, and in the House sealed Twenty-six Warrants for the apprehending so many Persons whom he had sworn against, amongst whom were the Lords *Powis*, *Stafford*, *Arundel* of *Wardour*, *Petre*, *Bellasis*, and Sir *Henry Treshbourn* Baronet, all *Papists*, who were sent to the Tower, and the rest to several Prisons. *Several Conspirators apprehended, of which were five popish Lords.*

The King was so persuaded of his being suspected, that he thought himself obliged to seem equally convinced with the Parliament of the Danger which threatened the Kingdom. To banish therefore these Suspicions, he issued out a Proclamation in these Words: "The Lords and Commons having taken into their serious Consideration the Bloody and Traiterous Designs of *Popish* Recusants against his Majesty's sacred Person and Government, and the Protestant Religion; therefore he commanded them all, except settled House-Keepers that would take the Oaths of Allegiance and Supremacy, to depart the Cities of London and Westminster, and all Places within Ten Miles distant from the same". *Proclamation against Papists.*

The *Papists* accordingly departed out of London; though for so short a Space that in less than a Fortnight they returned again; whether this was by Leave from their Leaders to take the Oaths, or that they well knew Proclamations were never strictly executed.

Besides this, the King knowing that amongst his Foot and Horse Guards there were Numbers of *Papists* and new Converts to the *Romish* Religion, declared in Council and printed an Order, with a Promise of Twenty Pounds *Sterling* to whoever should make Discovery of any Officer or Soldier in his Horse or Foot. *Another relating to the King's Guards.*

1678. Foot Guards, who having taken the Oaths of *Allegiance* and *Supremacy*, and the late *Test*, had since been perverted to the *Romish* Religion.

The *Commons* not satisfied with these slight Precautions, prepared a *Bill* to prevent the Danger which might arise from so many *Papists* sitting in Parliament, and particularly in the House of Lords.

But this was only a Preparative to enable them the more easily to prevent the Danger with which Religion was threatned, from the Hopes conceived by the *Papists* of seeing the Duke of *York* on the Throne after the King his Brother, who had no Legitimate Issue, nor Hopes of any. This Danger put several Members of the House of *Commons* upon the Project of a *Bill* for excluding the Duke of *York* from the Succession to the Crown: But this was not done all at once. On the 4th of *November* a Debate was suffered to arise in the House for an Address to his Majesty, that he would be pleased to remove the Duke of *York* from his Person and Counsels. But this Affair was put off till the 8th, and afterwards to the 12th of the Month.

The King perceiving the Drift of the *Commons*, repaired to the Parliament the 9th of *November*, and sending for the *Commons*, made this Speech to both Houses.

“ *My LORDS and GENTLEMEN,*

*The King's
Speech to
the Par-
liament.
Echard,
p. 95.*

“ I Am so very sensible of the great and extraordinary Care you have already taken, and still continue to show for the Safety and Preservation of my Person in these Times of Danger, that I could not satisfy my self without coming hither on purpose to give you all my most hearty Thanks for it. Nor do I think it enough to give you my Thanks only, but I hold my self obliged to let you see withal, that I do as much study your Preservation too; as I can possibly; and that I am as ready to join with you, in all the Ways and Means

“ that

“ that may establish a firm Security of the *Protestant*
 “ Religion, as your own Hearts can wish : And this
 “ not only during my Time, of which I am sure
 “ you have no Fear, but in future Ages, even to the
 “ End of the World. And therefore I am come to
 “ assure you, that whatsoever reasonable *Bills* you
 “ shall present to be passed into Laws, to make you
 “ safe in the Reign of my Successor, (so they tend
 “ not to Impeach the *Right of Succession*, nor the *De-*
 “ *scend of the Crown in the true Line*, and so as they
 “ *restrain not my Power*, nor the *just Rights of any*
 “ *Protestant Successor*) shall find from Me a ready
 “ Concurrence. And I desire you withal, to think
 “ of some effectual Means for the Conviction of *Pe-*
 “ *pish Recusants*, and to expedite your Counsels as
 “ fast as you can, that the World may see our Un-
 “ animity, and that I may have the Opportunity of
 “ shewing you how ready I am to do any Thing
 “ *that may give Comfort and Satisfaction to such duti-*
 “ *ful and loyal Subjects*.”

During these Transactions one *Bedloe*, who took *Bedloe*
 upon him the Title of *Captain Bedloe*, because he had ^{a second} served in the *Low-Countries*, leaving *London* to go to ^{Witness in} *Bristol*, writ to Secretary *Coventry* from *Newbury*, ^{the Plot.}
 that he had a great many Secrets to discover, and
 therefore desired that he might be arrested on his
 Arrival at *Bristol*, and sent up to *London*. If I do
 not insert here every Thing said against *Bedloe* by the
 Historians, it is their Fault, because they have given
 us no Authority for what they advance, nor do I
 think my self obliged to copy blindly from Authors
 who wrote not till forty Years after the Events, and
 have not thought proper to produce the least Proof
 of what they assert. I shall however say in two
 Words, that they speak of *Bedloe* as of the greatest
 Villain that lived.

He was apprehended at *Bristol* according to his De-
 sire, and brought up to *London* the 6th of *November*,
 when the Parliament was very busy upon the Affair
 of

2678.

of the Conspiracy. He had immediately a Guard assigned him for his Security, and a Pension for his Subsistence, and was lodged at *Whitehall*. The King was present at his Examination before the two Principal Secretaries of State. He declared himself a *Protestant* of the Church of *England*, but that he had been seduced to the *Romish* Religion by *Jesuits*. He said, *That he knew Sir Edmundbury Godfrey was murdered in Somerset-House*; but it is pretended that he solemnly declared upon Oath his Ignorance of the Plot then in Question: But as I said, Facts supported by no Authority deserve little Credit*. It is added, that the very next Day being examined before the House of Lords, *he thought fit upon new Encouragement, to be more open, and launch out into the Depths of the Plot, with a new and supplemental Evidence*. It is easy to perceive the Drift of such Insinuations destitute of all Authority.

Echard.

His Depositions.

However this be, *Bedloe* declared to the Lords that *Walsh* and *le Phaire*, two *Jesuits* concerned in the Murder of *Godfrey* informed him, "That the Lord *Bellasis* had a Commission to command Forces in the North, the Earl of *Powis* in South-Wales, and the Lord *Arundel* of *Wardour* had a Commission from the Pope to grant Commissions to whom he pleased: That *Coleman* had been a great Agitator in the Design against the King". He was asked if he knew *Oates*, and he positively denied it, but pretended afterwards, that he knew him by the Name of *Ambrose*.

The Day after the two Houses obtained from the King a Proclamation for the apprehending of *Walsh*, *la Phaire*, *Conyers*, *Simmonds*, *Pritchard*, and *Castaway*; but none of them could be found.

The

* *Burnet* says, he declared he had only heard that Forty Thousand Men were to come over from *Spain*, who were to meet at *St. Jago's* as Pilgrims. But knew nothing of any Fleet to bring them over, p. 432.

The 12th of November, Bedloe was examined a second Time before the House of Lords. The Sum of what he said was, " That the Monks of *Dowry* first told him the Design; and after four Sacraments of Secrecy, they sent him to *Harcourt* a Jesuit in *Duke-Street*, London, who provided for him, and sent him to *Paris*. That *le Phaire*, *Walsh*, *Pritchard* and *Lewis*, told him what Lords were to govern, what Men were to be raised; particularly Forty Thousand to be ready in *London*: What Succours were to be expected, namely, Ten Thousand from *Flanders*, Twenty or Thirty Thousand religious Men and Pilgrims from *St. Jago* in *Spain*; that *Hull* was to be surprized; and that just in the critical Time that the Plot was discovered: That *le Phaire* gave him the Sacrament of Secrecy; and they told him who and who were to be killed, and the Men that were to do the Work. *Le Phaire* said further, that *Conyers* was my Lord *Bellasis's* Confessor, and communicated his Orders; and that they were resolved, if any Plotters were taken, to dispatch them before they could be brought to Tryal, or to burn the Prison. That *le Phaire*, *Pritchard*, *Lewis*, *Keines*, and *Walsh*, and others had often told him, that there was not a Roman Catholick in *England* of any Quality or Credit, but was acquainted with this Design of the *Papists*, and had received the Sacrament from their Father Confessors to be Secret and Assistant in the carrying of it on: That the Part assigned him, was to bring and carry Orders and Counsels, and all other Intelligence from one Army to another upon all Occasions, he knowing every Part and Road of *England* and *Wales*."

1678.
His second
Deposition.

After this Deposition the Lords having conjured Bedloe to speak nothing but the Truth, he did in the Presence of God, as he should answer it at the Day of Judgement, assure all to be true he had deposed.

1678.

“ before us, of the imminent Danger of your Majesty’s Person, the Safety whereof is above all things most dear, and likewise the Dangers from *Popish Plots* so nearly threatening the Peace and Safety of your Majesty’s Government, and the *Protestant* Religion, we humbly are of Opinion, we could not discharge our Duty to your Majesty and the whole Kingdom, without committing the said Sir *Joseph Williamson*; and therefore most humbly desire, That he may be discharged by your Majesty. And we do further most humbly desire your Majesty to recall all Commissions granted to all *Papists* within the Kingdoms of *England* and *Ireland*, or any other of your Majesty’s Dominions and Territories.”

To this the King answered, “ That he had released Mr. Secretary *Williamson* before their Address came, and promised to recall all his Commissions whatsoever given to *Papists* or reputed *Papists*.”

Had not the King concealed some secret Design, it cannot be denied that his Measures were ill taken in granting these Commissions, while the *Popish Plot* gave such an Alarm to the Nation, and while the Parliament was so busy in the Examination of it. But this is a Mystery which is not yet cleared. However it be, the Affair was carried no farther.

A Proclamation against Romish Priests and Jesuits.

About this time the Bill to disable *Papists* from sitting in Parliament passed the House of Commons, and afterwards that of the Lords, though with more Difficulty*. The King likewise published a Proclamation;

* The Bill passed the House of Lords with some little Amendments, and a particular Clause in favour of the Duke of York. The greatest Struggle about it was chiefly in the House of Commons when it was sent back, though it was passed there also with the said Alterations. In the Debate Sir *Jonathan Trelawny* and Mr. *Ash* being violently heated, and opprobrious Words passing between them, Sir *Jonathan* gave *Ash* a Box on the Ear, which being returned by *Ash* with a slap on the Face, they both began to draw. Whereupon Sir *Jonathan* was sent to the Tower, and *Ash*

mation, with a Promise of a Reward to any one who should discover or apprehend a Romish Priest or Jesuit. 1678.

In the mean time the King finding that the Commons were in no haste to grant him a Supply of Money, came to the Parliament, and after a Repetition of some things delivered in his first Speech, he desired them either to grant him Money to keep up his Forces in *Flanders*; or to disband them. Upon this the Commons, who saw, not without great Uneasiness, so formidable an Army on Foot in such a Conjunction, resolved *Nemine Contradicente*, "That all the

The King demands Money.

"Forces raised since the 29th of September 1677, "should be disbanded:" To which Purpose they presented an Address to his Majesty.

The Commons resolve to disband the Forces.

At the same time the Commons had before them a Bill, For raising a third Part of the Militia to be in constant Arms for a Time, which with Amendments was sent up to the Lords, and passed their House.

The 30th of November the King gave the Royal Assent to the Bill, For disabling Papists from sitting in either House of Parliament, and shewed himself very willing to recall his Forces from *Flanders*. But the Militia-Bill he absolutely rejected, alledging, That it was to put the Militia out of his Power, which thing he would not do, no not for one Hour; but if the Commons would assist him with Money for that Purpose, he would take care to raise such a Part of the Militia, as should secure the Peace of the Government and his own Person. But the Parliament thought not fit to accept his Offer.

The Militia Bill rejected.

As publicly reprimanded by the Speaker. This Bill consisted of a Test against Popery, in which Transubstantiation was not only renounced, but the Worship of the Virgin Mary and the Saints, as practised in the Church of Rome, was declared to be idolatrous. *Gunning* Bishop of *Ely* maintained the Church of Rome was not idolatrous. He was answered by *Barlow* Bishop of *Lincoln*. However, *Gunning* took the Test. The Duke spoke on the Clause for excepting himself with Tears in his Eyes, protesting that whatever his Religion might be, it should only be a private Thing between God and his own Soul, and no Effect of it should ever appear in the Government.

1678.

After the King saw the Unanimity of the two Houses with regard to the Reality of the Plot, he thought proper to feign likewise a Belief on his Side of the Danger the Church and State were in. And here Father *Orleans* can hardly forgive him, saying, That to this Diffimulation was owing the Committing of so much Injustice. But the King found himself in no Condition to stem the Torrent which ran so high against the *Papists*. His whole Policy was confined to his Endeavours to remove all Suspicion of his having himself any Hand in the Plot, which he saw the two Houses but too apt to believe. Wherefore, without unseasonably affecting an indiscreet Zeal for a Religion which he publicly disowned, he calmly left the *Papists* exposed to the Resentments of the Parliament, for fear Opposition should bring Ruin on himself. For this Reason it was that he suffered the apprehended Conspirators to be brought to their Tryals.

*Coleman's
Tryal.*

Edward Coleman Secretary to the Duke of York was first brought to his Tryal, the 27th of November, at the *King's-Bench* Bar, before the Lord-Chief-Justice *Scroggs*. The Witnesses produced against him were *Oates* and *Bedloe*. The first deposed,

*The Substance of
Oates's
Evidence
against
Coleman.*

“ 1. That in November 1677, being brought acquainted with the Prisoner by Mr. *Keins*, then the Deponent's Confessor, who lodged at the Prisoner's House, he carried some Letters from him to St. Omer's, in which were treasonable Expressions against the King, calling him *Tyrant*, &c. and a Letter in *Latin* enclosed to Father *la Chaise*, to whom *Oates* carried it from St. Omer's to Paris, in which there were Thanks returned for the Ten Thousand Pounds by him remitted to England, for the Propagation of the *Catholic* Religion, and promising it should be employed for no other Purpose, but for what it was sent, viz. To cut off the King of England, as appeared by the Letter of *la Chaise*,

“ *Chaise*, to which all this was an Answer, and which 1678.
 “ *Oates* saw and read.

“ 2. That *Coleman* was concerned in the Design
 “ of killing the King ; for when, at the *Jesuits* great
 “ Consult, on the 24th of *April*, which afterwards
 “ divided into several Clubs, it was resolved, that
 “ *Pickering* and *Grove* should take off his Majesty
 “ by shooting, or other Means ; this Resolve was
 “ communicated to *Coleman* in *Oates*’s hearing, at
 “ *Wild-bouse*, who did approve thereof, and said it
 “ is well contrived.

“ 3. That in *August* 1678, *Coleman* was present at
 “ a Consult with the *Jesuits* and *Benedictine* Monks in
 “ the *Savoy*, for raising a Rebellion in *Ireland*, for
 “ which Forty Thousand *Black Bills* as Arms were
 “ provided ; and was very forward to have *Dr. Fogarty*
 “ sent over to poyson the Duke of *Ormond* :
 “ And at another time, being in *Fenwick*’s Chamber,
 “ *Coleman* said to him in *Oates*’s Hearing, That he
 “ had found out a way to transmit Two Hundred Thou-
 “ sand Pounds to carry on the Rebellion in *Ireland*.

“ 4. That in the Month of *August*, *Coleman* knew
 “ of the four *Irish* Ruffians sent to kill the King at
 “ *Windsor* ; and in *Oates*’s Hearing, asked Father
 “ *Harcourt* at *Wild-bouse*, What Care was taken for
 “ those Gentlemen that went last Night to *Windsor* ?
 “ Who replied, That Eighty Pounds was ordered them,
 “ which he saw there on the Table, most of it in
 “ *Guinea*’s ; and that *Coleman* was so zealous that he
 “ gave a *Guinea* to the Messenger who was to carry
 “ the Money, to expedite the Business.

“ 5. That in *July* 1678, *Coleman* was privy to the
 “ Instructions brought by *Abby*, Rector of *St. Omer*’s,
 “ from Father *Whitebread*, to empower the Consul-
 “ tors to propose Ten Thousand Pounds to *Sir George*
 “ *Wakeman* to poyson the King, provided *Pickering*
 “ and *Grove* failed to do the Work : That *Oates* had
 “ read and copied those Instructions, and transmitted
 “ them to several others of the Conspirators, who
 “ were gathering Contributions about the Kingdom,

1678.

“ who would be more encouraged to give largely,
 “ both because they were assured the Business would
 “ soon be dispatched, and that they might see they
 “ had Assistance from beyond Seas ; and that Cole-
 “ man was so far from disappointing this Treason,
 “ that he said, *It was too little, and that it were well*
 “ *to give Five Thousand Pounds more, to make the Bu-*
 “ *siness sure.*

“ 6. That in *April 1678*, *Oates* saw *Coleman's* Pa-
 “ rent or Commission to be Secretary of State, from
 “ *Paulus de Oliva*, General of the Society of *Jesuits*,
 “ by virtue of a Brief from the Pope, and he knew
 “ the Hand perfectly well ; and in *Fenwick's* Cham-
 “ ber he saw *Coleman* open it, and heard him say, *It*
 “ *was a good Exchange.* Last of all *Oates* being asked
 “ how many came over in *April* to the grand Con-
 “ sult, and how many Priests and *Jesuits* had been
 “ in *England* at one time ? He said, *He could not ex-*
 “ *actly remember their Numbers, but to his Knowledge*
 “ *there had been in England at the same Time, a Hun-*
 “ *dred and Sixty secular Priests, Eighty Jesuits, and by*
 “ *Names upon a List above Three Hundred.*”

Bedloe then deposed,

Bedloe's
Evidence.

“ 1. That he knew not of any Commission to *Mr.*
 “ *Coleman* ; but that *Sir Henry Tiebbourn* had told
 “ him, That he brought a Commission for him to
 “ be principal Secretary of State, when he brought
 “ over the rest of the Commissions for the Lords and
 “ others, from the principal *Jesuits* at *Rome*, by Or-
 “ der of the Pope.

“ 2. That in *April 1678*, he carried over a large
 “ Packet of Letters from *Coleman* to *Father la Chaise*,
 “ about carrying on the Plot, and brought back an
 “ Answer : And on *May* the 24th or 25th, 1677, he
 “ received another Packet of *Coleman's*, to carry to
 “ *Paris* to the *English* Monks ; and that he had re-
 “ ceived Money to carry on the Design to subvert
 “ the Government of *England*, to free *England* from

“ *Damnation and Ignorance, and to free all Catholicks from the hard Tyranny and Oppression of Hereticks.*

“ 3. That upon *Bedloe's* Return with Answers to the last Letters, which were delivered to *Coleman* by *Harcourt*, he heard the Prisoner, at his House behind *Westminster-Abbey*, at the Foot of the Stair-Cafe, say, *If he had a Hundred Lives, and a Sea of Blood to carry on the Cause, he would spend it all to establish the Church of Rome in England; and if there were a Hundred of Heretical Kings to be destroyed, he would see them all destroyed.* Upon this Saying, *Mr. Coleman* asked him this Question, *Did I ever see you in my Life?* Yes, said the other, *in the Stone-Gallery in Somerset-House, where you came from a Consult, where were great Persons, which I am not to name here; that would make the Bottom of your Plot to tremble: You saw me there.*”

The Third Evidence produced against *Coleman* was his own Letters, found in his Lodgings when he was arrested. But it is to be remembered that only those of the Years 1674 and 1675, were found in a Plate where they ought not naturally to have been*. The general Opinion was that he had received notice of his being accused by *Oates* in the Council, and so had time to burn or convey away those of the two last Years, with the Book in which they were entered. However that be, the Reader has here Extracts from some Letters written with his own Hand, and allowed to be Authentick.

Extract from a Letter from Mr. Coleman to Father Ja Chase the 29th of June, 1674.

“ I Am commanded to tell you, that his Royal Highness, my Master, is very sensible of the Friendship of his most Christian Majesty, which he will endeavour to cultivate very carefully, and to

Coleman's Letters produced against him.

* See Note above, p. 130.

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“ apprehended are a little put off : But one thing
 “ more is necessary for the perfect securing their
 “ Affairs ; and without making one Step more, all
 “ that he has already done will signify nothing. For
 “ that the Assistance of his most *Christian Majesty* is
 “ no less necessary at present than heretofore, to
 “ *subdue entirely* those, who being exasperated a-
 “ gainst his most *Christian Majesty*, as much as against
 “ his *Royal Highness*, and are angry with his Royal
 “ Highness, only because he is *unalterably* addicted to
 “ the Interest of his most *Christian Majesty*, will ex-
 “ ercise their Malice and their Rage with more *Bru-*
 “ *tal*ity than ever, if they find Occasion for it here-
 “ after. If you can therefore by your Credit, ob-
 “ tain from his most *Christian Majesty* the Accom-
 “ plishment of the Offer of his *Purse*, for raising
 “ the Reputation of his Royal Highness in the Opi-
 “ nion of his *Britannick Majesty*, and for putting
 “ him in a Condition to resist the sharpest Batteries
 “ of the Adversaries of his most *Christian Majesty*
 “ and Royal Highness, to wit, the Possibility to get
 “ Money from the Parliament, and the Impossibility
 “ of having any elsewhere, by which they often
 “ keep the Mind of his *Britannick Majesty* in sus-
 “ pence, and wherein they place their Hope they
 “ have to conquer him at last : There will nothing
 “ more remain, to be feared by his most *Christian Ma-*
 “ *je*sty, or his Royal Highness, but his Royal High-
 “ ness *will be able to dissolve the Parliament with*
 “ *ease*, and afterward, in Recompence of the said
 “ *Assistance*, will perform on his Part all that his
 “ most *Christian Majesty* shall ask of him, and will
 “ proceed with *Sincerity* upon the Word of a Prince
 “ (that no Man can reproach him for Violation
 “ of) for the Interest of his most *Christian Ma-*
 “ *je*sty.”

Extrait from a Letter of Mr. Coleman to the Pope's Nuncio at Brussels November 4th, 1674.

“ **T**HAT the Duke's principal Design is, to
 “ use the Pope's Interposition, and by that
 “ Means to establish himself in the Possession of his
 “ Estate, through the Assistance of *France* and
 “ *Spain*, and to turn all their Cares for the Ease of
 “ the Pope's Friends, and particularly for the *Catholicks*
 “ of the Church, against their Enemies; and
 “ assures him he will find, That the Pope never had
 “ an Occasion so favourable as at this Hour, to en-
 “ rich those of his Family, and to augment the
 “ Number of his Friends; and if he lets it slip, he ne-
 “ ver will find the like: So that if ever they pro-
 “ pose to make use of the Treasure of the Church,
 “ it is now they ought to do it; for they can de-
 “ mand nothing that the Duke will not be capable
 “ to do for the Pope's Friends: On the other Side,
 “ without their Aid, he will run great Hazard of
 “ being lost, both Himself and his Associates.”

Extrait of a Letter from Mr. Coleman to the same Nuncio, written in the Month of October 1674.

“ **Y**OU agree with me, that Money is the only
 “ Means of bringing the King into the Duke's
 “ Interest, and of disengaging him from the Parlia-
 “ ment; and you must also agree with me, that
 “ nothing can more promote the Interests of the
 “ *Catholick Party*, which is the principal Object of
 “ the Duke's Care and Affection, and of the Ha-
 “ tred of the Parliament, and which must hope, or
 “ fear, according as the one or other of them in-
 “ crease in Power.—Nothing in the World is more
 “ certain, than that the King has a good Inclinati-
 “ on towards the Duke and *Catholicks*, and would
 “ join himself willingly and inseparably to their In-
 “ terests, if he did not apprehend some Danger
 “ from

1678. “ from such a Union ; which, however, he would
 “ not have Cause to fear, if he found their Interest,
 “ and consequently their Power, so far advanced
 “ above that of their Adversaries, that they should
 “ neither have the Power nor the Boldness to con-
 “ test any Thing with them ; which the King could
 “ see in a very little Time, if we could perswade
 “ him to do Two or Three Things : And I am cer-
 “ tain Money could not fail of perswading him to
 “ it ; for there is Nothing it cannot make him do,
 “ though it were as much to his Prejudice, as this
 “ we Endeavour to perswade him to, will be to his
 “ Advantage.”

In another Letter *Coleman* expressly said, “ That
 “ it was by the *Catholicks* Interest, that the Parlia-
 “ ment was put off till the 13th Day of *April* 1675.

*Extract from a Letter of Mr. Coleman to Father
 La Chaife.*

“ — OUR prevailing in these Things will
 “ give the greatest Blow to the Prote-
 “ stant Religion here, that ever it received since its
 “ Birth.”

In Another.

“ WE have a mighty Work upon our Hands,
 “ no less than the Conversion of Three
 “ Kingdoms, and by that perhaps the subduing of
 “ a *Pestilent Heresy*, which has domineered over a
 “ great Part of this *Northern World* a long Time ;
 “ there never was such Hopes since the Death of
 “ *Queen Mary*, as now in our Days.”

In the same Letter.

“ **T**HE Opposition we are sure to meet with
 “ also like to be great, so that it imports us to
 “ get all the Aid and Assistance we can, *For the*
 “ *Harvest is great, and the Labourers but few.*”

After the reading of these Letters, Coleman alledged in his own Defence,

“ 1. That Oates, who now pretended such *Ac-* Ibid;
 “ *quaintance* with him, declared before the King and
 “ Council, *That he never saw him before, or did not*
 “ *know him.*”

To which the other answered, “ That it being
 “ Candle-Light, and his Sight weak, and Coleman
 “ altered in Habit and Wig, he did at first say, *he*
 “ *could not swear that was the Man, or that he had*
 “ *ever seen him before*; but as soon as he heard him
 “ speak, he knew him well, and could have then
 “ sworn it, had it been demanded.

“ 2. That had the Things now alledged by Oates
 “ been true, he would have charged the same be-
 “ fore the Council: But then he only charged him
 “ with a Letter, and such slender Matters, that
 “ the Council was ready to let him go at large;
 “ and therefore all the rest must be invented since.”

To this Oates replied, “ That he was then so
 “ weak and weary, he could not well tell what he
 “ said; besides, his Design was then to lay no more
 “ to his Charge, than might serve for Information,
 “ &c.”

“ 3. Whereas Oates charged him with consenting
 “ to *Wakeman's* poisoning of the King, and that it
 “ was consulted by him in *August*, and as he re-
 “ membered about the 21st Day, Coleman alledged
 “ that he was then in *Warwickshire*, and one of his
 “ Men and he were there all *August*, as he thought,
 “ but was not sure of it; and after Conviction, he
 “ offered a Book that would shew he was out of

“ Town

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“ Town from the 18th, to the 31st of *August* :” But this was no Evidence in itself, and offered too late ; so it did not contradict *Oates*, who was not positive to a *Day*, but only to the *Month*. As to what was sworn by *Bedloe*, he made no other Answer than a solemn *Asseveration*; *That he never saw the Man in his Life*. But as to his *Papers*, which he did not deny, he alledged, “ There was no *Treason* in them, though very *Extravagant Expressions* ; “ and that it would plainly appear from them, that “ his *Design* was so far from killing the *King*, that “ it was only to make the *King* and *Duke* as *Great* as “ *could be*.”

1. It is proper to remark upon this last Answer, That according to *Oates's* Deposition, the Resolution to kill the *King* had not been taken till the 24th of *April* 1678, and that these Letters bore Date in the Years 1674 and 1675 ; consequently they could make no mention of the Design to kill the *King*, neither were they produced in Proof of this Article.

2. *Oates* had accused *Coleman* of being concerned in the Plot before his Letters were found. How then, if he did not know *Coleman*; could he guess so right as to lay Things to his Charge which were found in Letters under his own Hand ?

3. *Coleman* owned that his Intention was to make the *King* and *Duke of York* as Great as was possible. This was a necessary Consequence of the projected Change of the established Religion. For it was not possible to subvert Religion without a Subversion of the Government, nor to render the *King* absolute without a formed Design of altering the Religion established; as the *King* and *Duke* were both *Catholicks*. One of these Articles being proved, necessarily proves the other.

In the Conclusion of his Defence, he used these Words ; *I positively say, and upon my Salvation, I never*

ver saw these Witnesses, Oates but once, and Bedloe never before. 1678.

The Jury, who were all Gentlemen of the County of *Middlesex*, and against whom *Coleman* had made no Exceptions, withdrawing, in a little Time brought him in Guilty of High-Treason. The Day after he received Sentence of Death, and the Third of *December* he was hanged and quartered according to Custom. He persisted to the last Moment in his denial of the Crimes for which he had been condemned: But as his Letters seemed at least to prove a Design of extirpating the *Protestant* Religion, he protested that he had no other Intention than to procure a *Liberty of Conscience* for the *Papists*. Probably all the World will not be of the Opinion that this is the natural Meaning of the Expressions in his Letters. It is true, a Report was spread in *London* that he had an Assurance of Life privately given him, on Condition of his persisting in the Denial of the Conspiracy; but such Rumours are but little to be depended on *.

The same Day that *Coleman* was tried, the King, at the Request of the Lords, issued out a Proclamation with Promise, " That if any Person or Persons shall, before the 25th Day of *December* next, make any farther Discovery of the late horrid Design against his Majesty's Person and Government, *A Proclamation to encourage further Discoveries.*

* He declared before the Committee, that he had acted by Order in all he had done. And he believed the King knew of his Employment, particularly that at *Brussels*. But though he seemed willing to be questioned about the King, the Committee did not think fit to do it, nor to report what he said concerning it: Only in general, they reported that he spoke of another Matter, about which they did not think fit to interrogate him, nor to mention it. *Lislecon.* one of the Committee, gave Bishop *Burnet* an account of all that passed that very Night. And he found his Behaviour made great Impression on them all: It was given out to make the Duke more odious, that *Coleman* was kept up from making Confession, by the Hopes the Duke sent of a Pardon at *Tyburn*. But he could not be so ignorant, as not to know, that at that time it was not in the King's Power to pardon him, while the Tide ran so high. *Burnet*, p. 437.

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“ 5. That before the Consult, in the Month of *March*, *Pickering* had a fair Opportunity to shoot the King ; but the Flint of his Pistol happened to be loose, and he durst not venture to give Fire ; and because by their Negligence this Opportunity was missed, *Pickering* underwent *Penance*, and had Twenty or Thirty Strokes of *Discipline*, and *Grove* was chidden for his Carelessness, as the Deponent had seen in *Whitebread’s* Letters.

“ 6. That *Grove* did go about with one *Smith*, to gather *Peter-Pence*, either to carry on the Design, or to send to *Rome* : That he saw the Book wherein it was entered, and heard the said *Grove* say, *He had been gathering it.*”

Bedloe the Second Witness swore,

Bedloe’s

Deposition.

“ 1. That he was employed for the Space of Five Years as a Messenger, by the Conspirators, for carrying their Letters to the Confederates beyond Seas, and bringing others back, all, or most of them relating to the Plot ; for he had a Way to open and read them, by which he fully informed himself of those Matters : And for the Nature of the Plot ; he heard some of the Conspirators say, *That they would not leave any Member of a Heretick in England, that should survive to tell hereafter That there ever was any such Religion as the Protestant.* And to confirm his Intimacy with them, he swore the Manner of his first coming to be employed by them ; by Means of a Lady Abbess of the *English* Nunnery of *Dunkirk*, who having kept him six Weeks in her Convent, recommended him to Sir *John Warner*, as a proper Instrument, who afterwards sent him to Father *Harcourt* to be instructed.” And as a further Confirmation he brought his Brother *James Bedloe*, who swore he knew nothing of the Plot, but did testify, “ That he had heard the Prisoners often named as being of his Brother’s Acquaintance ; and that he

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“ had on his Brother’s Behalf, received several Sums
“ of Money from *Priests* and *Jesuits*, as Fifty or
“ Sixty Pounds at a Time.

“ 2. That about the latter End of *August*, this
“ Year, at Mr. *Harcourt’s* Chamber, he met the Pri-
“ soners, *Ireland*, *Pickering*, and *Grove*, with some
“ others, where he heard them Discourse, That since
“ the four *Irish* Ruffians had missed of killing the
“ King at *Windfor*, *Pickering* and *Grove* should go
“ on with their Design, and that one *Conyers*, a *Be-*
“ *nedictine Monk*, was to be joined with them ; and
“ that they should endeavour to assassinate his Ma-
“ jesty in his Morning-Walk at *New-Market* ; That
“ they were Zealous in the Matter ; and Mr. *Grove*,
“ more forward than the rest, said, *since it could not*
“ *be done Clandestinely, it should be attempted Openly ;*
“ *and that those who should fall in the Attempt, had*
“ *this Glory to dye in a good Cause ; but if it were*
“ *discovered, the Discovery would never reach so far,*
“ *but their Party would be strong enough to accomplish*
“ *their Work.*

“ 3. He swore that *Harcourt* told him, *Grove* was
“ to have fifteen Hundred Pounds, and *Pickering* as
“ many *Masses*, at Twelve-pence a *Mass*, as came to
“ the like Sum.

“ 4. That at the same Time, when the Discourse
“ about killing the King was at *Harcourt’s* Chamber,
“ there was likewise a Design concerted amongst
“ them of killing several other noble Persons, and
“ the particular Parts assigned to every one ; as
“ *Knight*, to kill the Earl of *Shaftsbury* ; *Prichard*,
“ the Duke of *Buckingham* ; *Oneil*, the Earl of *Offory* ;
“ *Obrian*, the Duke of *Ormond*, &c.

The Defence made by the Prisoners consisted in,

“ 1. A peremptory Denial of the whole: *Grove* The Pri-
“ particularly said, *As I have a Soul to be saved, I soner’s*
“ know nothing of this Matter charged upon me. *Pick-sonce.*
“ ering affirmed, *that he never shot off a Pistol in his*
V o L. XIV. M 2 “ Life.

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“ *Life.* And *Whitebread*, who was there during the
 “ Tryal, declared *before Almighty God*, that *Oates* had
 “ not spoken three Words of Truth.

“ 2. A particular Denial of their Knowledge of,
 “ or Acquaintance with the Witnesses : *Ireland* de-
 “ nied that he ever saw *Bedloe* before that Time in
 “ the Court ; and challenged him to produce one
 “ Witness that he had ever spoken to him. *Pickering*
 “ affirmed that he never saw *Oates* before ; and
 “ offered to swear that he never was in *Bedloe's* Com-
 “ pany. And *Grove* affirmed that he had scarce any
 “ Acquaintance with *Oates*. Whereupon *Oates* gave
 “ him a remarkable Token, viz. that in *December*
 “ last, when he was with him, he owned, that he
 “ and three Irish-men had fired Southwark ; and that
 “ they had a Thousand Pounds given them for it ; where-
 “ of he had four Hundred Pounds, and the rest two Hun-
 “ dred Pounds a-piece.

“ 3. *Ireland*, against *Bedloe's* Evidence, affirmed,
 “ he was not in *London* the whole Month of *August*,
 “ and part of *September* ; and offered to prove it by
 “ Twenty Witnesses, that he was in *Staffordshire* and
 “ *Cheshire* all that Time ; and urged *Bedloe* to name
 “ the Place, and the Company wherever they met
 “ together. But not only *Bedloe* swore the contrary,
 “ but likewise *Oates* himself ; but what seemed more
 “ important, one *Sarah Pain*, formerly a Servant to
 “ *Grove*, swore that she saw Mr. *Ireland* at a Scriviner's
 “ Door in *Fetter-Lane*, about the 12th or 13th of
 “ *August*.

“ 4. *Ireland*, as well as *Whitebread*, objected a-
 “ gainst the Grand Consult of *April* the 24th, that
 “ Hundreds could prove that *Oates* was at *St. Omer's*
 “ all the Months of *April* and *May* ; and offered to
 “ produce a Certificate from thence, under the Seal
 “ of the College. But such Certificate was not al-
 “ lowed as Evidence by the Law of *England*.” Last-
 “ ly, they endeavoured to blast the Reputation of
 “ Doctor *Oates*, to prove him perjured, since he had
 “ said before the Council, that he knew no more
 “ than

than he had already desposed, and that nevertheless he had since that added other Testimonies. As I have before spoken to this Objection, I shall not trouble my Readers with a Repetition.

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In Conclusion, all the three were condemned, and received Sentence of Death, as in Cases of Treason. But the Execution of *Ireland* and *Grove*, was respited to the 24th of *January* following, and that of *Pickering* to the 29th of *May*. They continued all three to their last Breath, protesting they were as Innocent of the Crimes for which they were condemned, as the Child unborn. As all the *Papists* that suffered for this Conspiracy made use of the same manner of Expression to assert their Innocence, it was believed that there was some Equivocation, though none pretended to say wherein it consisted. They are condemned, and executed.

If it is considered that the Evidence of *Oates* and *Bedloe* upon Oath was positive, and that the Prisoners attedged in their Defence only bare Negations, the Jury will easily be justified in their Verdict. For what was there to determine their Assent more to the Affeверations and Oaths of the accused, than to the Depositions of the two Witnesses? Nevertheless it was then, and is still believed by many, that the condemned Persons were Innocent. 1. Because they asserted their Innocence with their dying Breath. 2. Because it is taken for granted that *Oates* and *Bedloe* were great Villains. 3. But the strongest Presumption against the Truth of their Evidence, with those who are of that Opinion, is, that it was chiefly upon the Tryal of these three Men that *Oates*, under the Reign of King *James the Second*, was convicted of Perjury upon the Depositions of Twenty-two Witnesses from *St. Omers*, who swore that *Oates* was at *St. Omers*, in the *Jesuit's College* during the whole Months of *April* and *May*, without ever stirring from thence, Moreover, more than Forty Witnesses from the Counties of *Stafford* and *Chester*, deposed upon Oath, That *Father Ireland* was in those Coun- A Reflection upon this Tryal.

1678, ties during the whole Month of *August*, and part of *September*.

To assist the Reader's Judgement in this Affair, I think it necessary to make some Remarks, and the rather because the Dispute upon this Subject is yet undecided.

1. A Defence by the *Alibi* * is liable to great Inconveniences, because the direct Opposition and Contrariety of the Evidence leaves the Judge in the Perplexity of not knowing what to determine. Most commonly if he comes to a Decision, it is not because there is Reason to believe one of the Evidences more than the other, but because Equity requires him to incline rather to Clemency than Rigour. In the Tryal of the three Prisoners we have been speaking of, not one Evidence deposed on the Point of the *Alibi*. There was only a bare Allegation of the Prisoners, and an Offer of Proof by absent Witnesses. So that even supposing the Innocence of the three accused Persons, the *Jury* could not but find them guilty, unless they preferred the bare Affeверations of the Prisoners, to the Oaths of the Witnesses, which is a Thing never practised. But in the Tryal of *Oates* the Proof of the *Alibi* was made use of to convict him of Perjury, and to Sentence him for it to a very rigorous Punishment. It belongs to the Lawyers to decide whether this be within the exact Rules of the Law.

2. If the Circumstances of the Times of these two Tryals are considered, it will be found that there was Reason to believe that both Sides were equally under the Power of Prejudice and Passion. When the three *Jesuits* were condemned, the whole Kingdom was alarmed with the Noise of a Conspiracy carrying on by that Society against the King, the Government, and

* The Proof of the *Alibi* is, that whereby the Prisoner endeavours to prove his being in a different Place from that where the Crime for which he stands indicted, was, or is supposed to be committed.

and the *Protestant* Religion. The two Houses of Parliament supported the Reality of the Plot by the Unanimity of their Votes, and the King himself supposed it in all his Proclamations. It will not therefore be thought strange that both *Judges* and *Jury* were prejudiced, and so blindly came into the Belief of what *Oates* and *Bedloe* deposed. But on the other Hand, when *Oates* was convicted of Perjury, Things had taken another Turn. A very zealous *Catholic* King was upon the Throne, and it was now dangerous for any Man to affirm that there was a *Popish Plot* in 1678. The *Papists* had now the same Superiority over the *Protestants*, that the *Protestants* had then over the *Catholics*, and the Judges were entirely devoted to the King. In a Word, no more needs be said, than that *Jefferies* was Judge in the Tryal, and forgot nothing which he thought might help to prejudice the *Jury* against the Prisoner. In short, *Oates* was condemned upon the Evidence of Twenty-two Witnesses from *St. Omer's*, all Scholars or Dependents of the *Jesuits*, and upon that of Forty other Witnesses from the Counties of *Chester* and *Stafford*, amongst whom it is thought sufficient to say, that there were several *Protestants*. Moreover the Point to be proved was not only whether *Ireland* was in those Counties in the Months of *August* and *September*, but whether he had never stirred from thence in that Time *. Now it is not easy to conceive how forty Witnesses should be capable of proving a negative Proposition of this Nature.

Having thus set before my Reader what is urged on both Sides, I leave him to his own Judgement. The Affair of the Conspiracy must now be laid aside for a while, in order to proceed to another which made a great Noise at this Time. But it is necessary to go back a little, and give the Reader an account of the State of the *English* Court for some Time past.

* A Woman swore she saw *Ireland* in *London* about the Middle of *August*. Burnet, p. 443.

1678. his Majesty expected from the King of *France*, in the last of which was a Postscript with these Words, *This Letter is writ by my Order*, C. R. These Letters having convinced the House from whence those Delays with the King with regard to the War against *France* arose, they immediately resolved, "That
 " there was sufficient Matter of Impeachment against
 " *Thomas Earl of Danby*, Lord-Treasurer of Eng-
 " land," and within two Days by the help of Mr. *Montague* the Articles of Impeachment were drawn up and sent to the House of Lords. But these Articles were levelled rather against the King himself, than the Earl of *Danby*, who had only acted by his express Orders. For though in the Impeachment were inserted several Articles which only concerned the Earl, yet it was not there that the Strength of the Impeachment lay, but in those Articles which related to the Negotiation with *France*, on the Affair of the King's Pension, in which it was pretended that the Lord-Treasurer had acted without Order, though no Body doubted of the contrary. But the Intention was to oblige the Earl for his own Safety to plead the King's Orders for what he had done. This threw him into extreme Perplexity ; for he could not justify himself without accusing the King, and such a Step would have made him entirely forfeit the Royal Favour. Especially as the King had earnestly desired him not to divulge his Secrets, offering him his Pardon to screen him from the Parliament. He therefore resolved to conceal the King's private Orders upon this Affair, but was under a Necessity of laying before the House two Letters of *Montague*, which discovered him to be the principal Contriver of this Negotiation. These Letters likewise manifested the great Hatred which the Court of *France* had against the Lord-Treasurer as there great Enemy, whose Ruin they were bent upon, in order to have the King of *England* more at Command. But the *Commons* were so enraged against the Earl, that they would not so much as suffer these Letters to be read. On

the other Hand, when the Articles of his Impeachment were read in the House of Lords, he in a Speech frequently insinuated that it lay in his Power to make such a Defence as would admit of no Reply. Every Body understood what he meant, but it is certain that he was not so much struck at as the King himself, and that it was intended by this Means more than by the Plot it self, to show the Publick that the King and the Duke of *York*, were the real Authors of all the Evils with which the Kingdom was afflicted, and in a Word, the Heads of the Conspiracy to subvert the Government, and *Protestant* Religion. The King easily saw into the Design of the Earl of *Danby's* Impeachment, and therefore before the Lords could come to a Resolution, whether the Earl of *Danby* should be sent to the *Tower*, came to the Parliament the 30th of *December*, and prorogued it to the 4th of *February*, after he had given the Royal Assent to one long *Act* against the *Papists*.

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*The King
prorogues
the Par-
liament.*

Immediately after the Prorogation of the Parliament, Sir *Joseph Williamson* Secretary of State, resigned the Seals into the Hands of the King, who appointed the Earl of *Sunderland* to succeed him, though he had given Hopes of the Place to Sir *William Temple* then Ambassador in *Holland*, and had called him over for that Purpose. But *Temple* on his Arrival found the Post filled, the Earl of *Sunderland* having paid *Williamson* Six Thousand Pounds, and Five Hundred Guineas, which *Temple* was not able or willing to give. Shortly after the King took from the Earl of *Danby* the Treasurer's Staff, and put the Treasury in Commission *.

*The Earl
of Sunder-
land made
Secretary
of State.*

*The Earl
of Danby
resigns.*

After the Prorogation the King found himself plunged in great Difficulties, not only on account of the Earl of *Danby's* Impeachment, which properly fell upon himself, but moreover by fresh Discoveries

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as

* The Commissioners were the Earl of *Essex*, *Lawrence Hyde* the Earl of *Clarendon's* Brother, Sir *John Erle*, Sir *Edward Deering*, and *Sydney Godolphin*,

1678-9. as well of the Plot as of Sir *Edmundbury Godfrey's* Murder. The 21st of *December*, *Miles Prance*, a Goldsmith of *London*, a *Papist*, and who had sometimes wrought in the Queen's Chappel of *Somerset-House*, was taken up by a Warrant from the Council, upon the Information of one *Wren*, a Lodger in his House, that he was concerned in the Murder of *Godfrey*. Though it was very possible for *Godfrey* to have been murdered by other Hands than those of the Conspirators, yet all the World was persuaded that the *Papists* were the Actors in this Murder, and that if the Authors could be discovered, great Light might be had for the clearing of the Plot. Wherefore the two Houses had appointed a Committee, with the Earl of *Shaftsbury* at the Head, for the endeavouring to discover who were the Authors of this Murder.

In this Affair as in that of the Plot Historians are directly opposite in their Sentiments, one Side asserting that this Murder was committed by the *Papists*, and the other maintaining the contrary. The latter, in support of their Opinion, relate an infinite Number of Particulars, with so many Circumstances, that they would more than prove what they are alleged for, could the Sincerity not only of the Historians, but the Certainty of the Facts be entirely relied on. But one cannot but be surprized to see continually the Truth of their Opinion supposed, without any other Authority than a Heap of unwarranted Facts. This may do when we only write for one of the Parties, ever ready to receive all that is advanced by a Historian of their own Side ; but as I write for Foreigners, to whom the Actors and the Authors are equally unknown, I ought not to take for granted Facts of which I see no Proof. My Meaning is not by this to insinuate to my Readers that all these Facts are false ; but only that I have no sufficient Reason to believe them true, and therefore ought not to form an Hypothesis thereon.

As to the Goldsmith *Prance*, it is without more ado supposed that he was maliciously accused by *Wren*, because *Prance* had forced him to pay an Arrear of Fourteen Month's Rent, and that having at first with Imprecations denied any Knowledge of the Murder, he was at last compelled by Menaces and rigorous Treatment to confess that he knew the whole Matter, and to give a particular Account of the Thing in all its Circumstances. If this Supposition was well proved, or at least supported by the Testimony of a Person of Reputation known in *London*, who lived at that very time, there would be no Occasion to seek for other Proofs. But as I have already said these Facts are obtruded upon us as undeniable, without any Warrant or Authority. As for my self, who have no Intention to impose upon my Readers, I shall content my self with informing them of the Facts acknowledged by all the World. I shall only add some which are not agreed in, as being advanced without Proof, that the Reader may know what he has to rely on.

Prance being taken up, as I said, was carried to *Westminster* to be examined before a Committee of the Lords.

Here a Decisive Fact is advanced without any Grounds. I mean that *Prance* was first carried into a little Room, where several Persons went to see him, and amongst others *Bedloe*, who knowing him not, enquired privately which was the Prisoner. When he was informed he withdrew to an *Eating-house* in the Neighbourhood, whither *Prance* was brought some time after, to be kept till he should be called to Examination. As soon as *Bedloe*, who was purposely planted in the same House, had cast his Eyes upon him, he cried out, " This is one of the " Rogues that I saw with a dark Lanthorn about the " Body of Sir *Edmondbury Godfrey*; but he was then " in a Peruke."

If

1678 9:

If any Care had been taken to prove that *Bedloe* had asked which was *Prance*, that he purposely waited for him in the Eating-house, whither he knew he was to be brought, no other Proof would be wanted, and the Matter would be decided. But the Historian who relates this Fact gives us only his own Word for it *.

He denies all.

Is sent to Newgate.

Prance being carried before the Committee of Lords, *Bedloe* directly charged him with the Murder of *Godfrey*, and *Wren* with being out of the House while the Body was missing. *Prance* denied all with Imprecations upon himself. But as the bare Denial of a Prisoner ought not to carry it against the Testimony of two Witnesses, the Lords thought fit to send him to *Newgate*, where he was put in the condemned Hole, loaden with heavy Irons, and, says my Author, left all Night to consider what Answers further to make, and whether he would venture *his Soul* or *his Body*.

Here one manifestly sees the Prejudice of the Historian, who could with no manner of Certainty assure that the Intention of the Lords was to leave *Prance* to the Consideration, whether he would rather venture his *Soul* or *his Body*. He could only say this, pursuant to his Hypothesis, which supposes that the Lords of the Committee were resolved at all hazards to make *Prance* an Evidence to the Murder of *Godfrey*.

But here is another Fact still more important, advanced with the same Assurance, and without any Authority.

The

* Our Author means *Echard*. *Burnet* says, *Prance* being taken up on *Wren's* Information, was carried to *Westminster*. *Bedloe* accidentally passed by, not knowing any thing concerning him: And at first sight he charged somebody to seize on him: For he was one of those whom he saw about *Godfrey's* Body, p. 445. From this and many other Passages it appears that *Rapin* had not seen *Burnet's* History hitherto, notwithstanding some Quotations which might possibly be inserted afterwards. *Rapin* died within so little a while after the said History was published, that he must have finished this Reign before it came to his Hands.

The next Morning early a Man entered *the condemned Hole* in which *Prance* lay, and laid down a Paper upon a Form just by him, and so retired ; soon after came in another with a Candle, who set it down and left him. By that Light he read the Paper, wherein he found brief Hints to what he was to swear when he should be called to his second Examination, and was threatned to be hanged if he did not confess all that was expected of him. *Prance*, says the Author, imagined this to be a Contrivance of the Lord *Shafts-bury's*, 1678-9.

One can have no Knowledge of a Fact of this Nature, which passed in a Dungeon where there was but one Man, and where two others at several times only just went in and out again without saying a Word, one to bring a Paper, the other a Candle ; such a Fact I say, can only be known from *Prance's* own Confession. Now it is certain that *Prance* never owned any such Thing ; if he had, we should not have wanted the Particulars how and upon what occasion he declared it. But as we have nothing of this, how can it be said that *Prance* imagined this to be a Contrivance of the Earl of *Shafts-bury's* ? Is it a Thing so common to know what passes in a Man's private Thoughts, that it is not worth the while to let us into the Secret how this Knowledge was attained ?

I proceed to other Facts which are out of Dispute. *Prance* after he had continued in Prison one whole Night, and part of the next Day, told Captain *Richardson*, the Keeper of *Newgate*, that he had Matters of great Moment to communicate to the Earl of *Shafts-bury* Chairman of the Committee. He was at his Request carried the same Night to the Earl, who in Presence of Three other Persons, examined him five or six Hours together. It is pretended that the Earl abused and menaced him, and told him, *That there were great ones concerned, and he must discover them too ; for the little ones should not serve his Turn*, that therefore *he should not spare the King himself*. It does not however appear that these Menaces made

1678-9. made much Impression upon *Prance*, since his Depositions affected only Persons of low Condition. However this be, he discovered part of what he said he knew, with a Promise of a more ample Confession if he might have his Pardon. He signed his Deposition, and was remanded back to Prison. Upon this the Lords obtained of his Majesty a full and general Pardon for him. Afterwards a Committee of the Lords was sent to *Newgate* to acquaint him with his Pardon, and to examine him farther touching the Plot, and the Murder of Sir *Edmonbury Godfrey*. The *Commons* likewise ordered him to be examined by a Committee of Secrecy. These two Examinations being made with all Strictness and Severity, *Prance* was carried the next Day to *Whitehall*, there to be examined before the King and Council.

In this Examination he accused five Persons as actually present at the Murder; *Girald* and *Kelley*, two *Irish* Priests; *Robert Green* Cushion-Man to the Queen's Chapel; *Laurence Hill* Servant to Dr. *Godden* Treasurer of the Chapel; and *Henry Berry* Porter of *Somerset-House*. Being asked, *Why he gave so different a Relation to the Committee of Lords from what he now so freely confessed?* He answered, *That he was not then sure of his Pardon*. Being further asked, *Why he came not in upon the Proclamation and Reward thereof?* He said, *He was afraid to trust to it*. As he had answered punctually to all Questions put to him with regard to the Circumstances of Time, Place, and Manner of the Murder, the King to assure himself of the Truth, appointed the Duke of *Monmouth*, the Earl of *Osborn*, and the Vice-chamberlain, to go with *Prance* to *Somerset-House*, and to make him shew them the Places where all Things were acted. The Author so often mentioned, gives us on this Occasion an Addition which deserves Remark. *Prance*, says he, was very punctual in naming and showing some of the Rooms, but so uncertain and dubious in some Particulars, especially about the chief Room, that when the Duke of *Monmouth* privately

vately asked the Earl of *Offory*, *what he thought on it?* The Earl answered, *It was all a great Cheat.* I purposely take Notice of this Particular, because it was so directly contrary to the Report made to the Council, as we shall see presently.

In the Afternoon *Prance* in the Presence of the Council was confronted with *Green*, *Berry*, and *Hill*, who denied every Syllable of the Charge, and *Prance* stood as stoutly to every Point of the Accusation. After which he was sent back to *Newgate* for four or five Days:

The same Author says here, that his Irons were sometimes *off* and sometimes *on*, according as he was in a discovering Temper. That is to say, that the Jailor by the secret Orders of the Committee, treated him well or otherwise, as he was disposed to retract or stick by his Deposition. This Particular is likewise thrown in, that he was often visited by Members of both Houses, who sometimes severely threatened him when his Evidence did not agree with *Bedloe's*, and particularly because he would not own the Peruke which *Bedloe* had first mentioned. But these Particulars tending to prove that *Prance* was forced to depose what he knew nothing of, have no Author, no Evidence, no Authority produced to support them. We have no other Vouchers but the Historians who report these Particulars; without vouchsafing to acquaint us from whence they were taken.

After *Prance* had remained four or five Days in *Newgate*, he was once more carried to be examined before the King and Council. But he made it his Request that he might first wait upon the King himself. Upon this *Richardson* had Orders to carry him to Mr. *Chiffinck's* Lodgings, to which the King repaired. The King and *Prance* withdrawing into one Room, *Chiffinck* and *Richardson* remained in the Room next to it. Some time after the King opened the Door, and bad them take Notice of what *Prance* said, who being called upon to speak out plainly,

1678-9. he declared, *That the Men he had sworn against were*
Prance re- *all innocent, and that all he had sworn against them was*
tracts all *false, which he affirmed, says one **, with great Pas-
before the *sion and Asseveration. Upon which the King asked*
King. *him, Upon your Salvation is it so? He replied, Upon*
my Salvation the whole Accusation is false. He was
then carried before the Council, where he declared to
the same Effect. He was asked, What Inducement
he had to his former Story——who put him upon it?
No body, he said, prompted him; he only knew the
Men he swore against; he never saw Bedloe before he
was taken up; he knew nothing of the Plot nor of the
Murder; ——and could not rest for the Story he had
told. But Wren owed him Money, and threatened him
because he dunned him for it, and so bared him into it.
He was then remanded to Prison.

After so serious an Asseveration, no Man of Sense can imagine that the *Catholicks*, or the *Partizans* of the Court, had prevailed with *Prance* to retract his first Deposition. This would be only a bare Suspicion unsupported by any Proof. But to have it believed that the Committee, and several Members of both Houses, had threatened *Prance* in case his Deposition agreed not with *Bedloe's*, no Proof is wanted, and the bare Relation of a Historian who wrote not till Twenty or Thirty Years after, is more than sufficient for this Purpose.

Unluckily *Prance* retracted once more. But this ought to give us no Concern, because he denied what he had just said before the King and Council only to deliver himself from the excessive Cruelties which were practised upon him, till he had promised to depose whatever was required of him. See what a famous Historian *¹ says on this Occasion *².

“ *Prance*

* *Echard.*

*¹ *Echard.*

*² Here again it is plain *Rapin* had not yet seen *Burnet*, otherwise he would have taken notice of the following Passage, After
Prance

1678-9.

“ *Prance*, excepting just after his Return, stood
 “ firm and immoveable in his Denial, against all
 “ Terrours and Temptations for about Twelve Days,
 “ from the 29th of *December* to the 11th of this
 “ present *January*. During which Space of time his
 “ Usage was barbarous, and more like the *Romish*
 “ *Inquisition*, than the Methods of a free Nation.
 “ For Nine Days at least his Case was deplorable;
 “ and what with the deadly Cold and Nastiness of
 “ the Place, the Distress of his Condition, the Agony
 “ of his Thoughts, under the Horrour of bringing
 “ new Guilt upon his Conscience, and the galling
 “ Weight of his Irons, he lay in such Torments
 “ both of Body and Mind, that he spent his Hours
 “ in Roaring and Groaning, frequently and pitifully
 “ crying out, *Not Guilty, Not Guilty! No Murder,*
 “ *no Murder!* He used the same Outcries, or Cla-
 “ mours at least to that Effect, so often, that the
 “ Imposers had no way to cover the Scandal, and
 “ the Inhumanity of their Treatment, but either by
 “ imputing the Anguish of a wounded Conscience to
 “ the Ravings of a distempered Brain; or by con-
 “ verting the Marks of a true Repentance into the
 “ Story of a counterfeit Madness. But when things
 “ were at the worst, *Prance* was now and then, as the
 “ good Humour prevailed, eased of his Irons, com-
 “ forted with good Words and Promises, and no
 “ Artifice omitted to bring him to a proper Un-

Prance had declared before the King and Council that his first
 Confession was all a Fiction, he was carried back to Prison, but
 immediately sent the Keeper of *Newgate* to the King to tell
 him that all he had sworn was true, but that the Horrour and
 Confusion he was in put him on denying it. Yet he went off
 from this again and denied everything. Dr. *Lloyd* was upon this
 sent to talk with him. At first he denied every thing to him. But
 Dr. *Lloyd* told me that he was almost dead through the Disorder
 of his Mind, and with Cold in his Body. But after that Dr. *Lloyd*
 had made a Fire, and caused him to be put in a Bed, and began
 to discourse the Matter with him, he returned to his Confession;
 which he did in such a Manner, that Dr. *Lloyd* said to me, it was
 not possible for him to doubt of his Sincerity in it, p. 446.

1678-9. “ derstanding. The Keepers were then under the
 “ sole Direction of a certain ambulatory Committee,
 “ when and what Degree to squeeze, to pinch, to
 “ ease, to shackle, to comfort, or to torment their
 “ Prisoners ; and most things were done according to
 “ the particular Orders of that Cabal. It would be
 “ too tedious to recite all the Sufferings of this un-
 “ fortunate Man, who being unable to hold out as
 “ *Corral*, had done, and finding his Life in the same
 “ Danger with those he had accused, he at length
 “ submitted to the Temptation, and upon a new
 “ Assurance of Pardon, he promised to stand by his
 “ former Evidence. Immediately upon this, on
 “ the 11th of *January*, his *Irons* were knocked off,
 “ and he was removed from hard Boards, and a dis-
 “ mal cold Room, to a fine Lodging and a curious
 “ Bed, with Variety of the best Meats and Drinks.
 “ Here having Pen, Ink, and Paper, and the As-
 “ sistance of his Friend one Mr. *Boyce*, he finished
 “ his Story, and prepared for being a compleat Evi-
 “ dence against *Green*, *Berry* and *Hill*, who were
 “ shortly after to come upon their Tryals.”

As the Author of this Passage is not content with insinuating that *Prance* was compelled by Torments to support his second Deposition, but undertakes to prove it by Facts which are entirely decisive, it is absolutely necessary for the Reader's Information to make some Remarks on this Subject.

1. In a controverted Matter, when a Historian reports Facts to which he was not Privy, and are nevertheless capable to decide for or against, the Reader has a Right to expect from him some Testimony, some Warrant of what he says ; in a Word, to be assured from whence he has his Knowledge of such Facts. But here we see neither Testimony nor Warrant in the *Text*, or *Margin*.

2. It appears from this very Relation, that all the ill Usage complained of with regard to *Prance*,

was only the keeping him Nine Days in Irons. If this is a Torment like a *Romish* Inquisition, it may be affirmed that *England* never wants an Inquisition, since Prisoners committed for Murder, or other great Crimes are never treated otherwise. Besides, it will be seen hereafter that *Prance* denied his ever receiving any ill Usage in Prison, or his wanting any Thing. As to the Torments of his Mind, and his Roarings and Groanings, supposing them to be true, only *Prance* himself could know the Motives, and I cannot but be surprized to see an Author talk with an Assurance of what passed only in the Mind of *Prance*, as if he had been his Confident and Confessor.

3. He ought to have told us who were the Persons of this *Ambulatory Committee*, from whom the Jailor received his Orders: For it is well known, that during the Prorogation of a Parliament (and all this was in the Interval of the Prorogation) the Jailor of *Newgate* could obey no Orders but those of the King, or the Courts of Justice.

4. Lastly, In Proof of a Fact so Remarkable and Decisive, we have only the bare Asseveration of the Author, who supports his Story with Expressions the strongest and most capable to give us a terrible Idea of the Torments endured by *Prance*, which at last amount to no more than lying Nine Days in Prison loaden with Irons. Besides, the Author says, that *Prance* was gained at last, without telling us by whom, or how, or giving us the least Warrant for what he advances. I do not say that all this is false; for I know nothing of it. But as it is not forbid us to rely on the Honesty of an Author, or of those from whom he has his Informations; so neither is it forbid to doubt, and to believe that he might be prejudiced by Histories, which are blindly followed or rejected, as they either favour or prejudice the Cause of their partial Readers *.

* See Note above.

1578-9.

Bedloe had given but an imperfect Information of the Murder of *Godfrey*. He said indeed that it was committed in *Somerset-House*, and that he had seen the dead Body. But as to other Circumstances, he only spoke of them as received from Persons who had absented themselves; but *Prance* delivered in Writing a more regular and full Account, which contained precisely his Deposition before the King and Council, and was to this Effect:

The Substance of Prance's Deposition concerning Sir Edmondbury's Murder,

" *Girald, Kelly, Green, Berry, Hill, and Prance*, with
 " the Approbation of some others, after several Con-
 " sultations * had, resolved to murder Sir *Edmond-*
 " *bury Godfrey*, as being a bitter Persecutor of the
 " *Catholicks*, an active Discoverer of their Do-
 " signs, and a particular Enemy to the Queen's
 " Servants. Thus determined, on *Saturday* the 12th
 " of *October*, *Hill* went to Sir *Edmondbury Godfrey's*
 " House in the Morning, and talked with him in
 " private †: Then taking his Leave, he went to *Gi-*
 " *rald*, and *Green*, and with them staid hard by,
 " waiting for the Gentleman's coming out, which
 " he did about 10 or 11, all alone as usually. They
 " dogged him to several Places, till about Six or Se-
 " ven in the Evening, when *Green* went to *Prance's*
 " House, and told him, *They had set him near St.*
 " *Clements*; and that *Prance* must make all haste
 " to the *Water-Gate* at *Somerset-House*, where he
 " should find *Kelly* and *Berry*, which he did; and
 " they Three waited there till about Nine a Clock:
 " When of a sudden *Hill* came running and said,
 " *He was coming, and they must pretend a Quarrel,*
 " *and he would fetch him in.* While *Kelly* and *Berry*
 " were in a seeming Scuffle, *Hill*, at the Gate, stop-
 " ped Sir *Edmondbury Godfrey*, and entreated him
 " for

* *Prance* named the House where they used to meet, and the People thereof did confirm this of their meeting there. *Burnet*, p. 445.

† He went to see whether *Godfrey* was gone out, and spoke to his Maid, who upon *Hill's* being taken, went to *Newgate*, and in the Crowd of Prisoners distinguished him, saying, He was the Person that asked for her Master that Morning. *Ibid*,

" for God's Sake to come in, for Two Men were a
 " *Quarrelling, and he was afraid there would be Blood-*
 " *shed.* The Gentleman being a Magistrate, did at
 " last *Consent*, and *Hill* entered the Gate first, to
 " shew him the Persons; and after them followed
 " *Girald* and *Green*; while *Prance* watched the Wa-
 " ter-Gate, and *Berry* was to secure the Passage by
 " the Chapel. But first he and *Kelly* the pretended
 " Combatants, stood about the End of the Rail by
 " the Queen's Stables; and as Sir *Edmond* went
 " down towards them, *Green* suddenly threw a
 " twisted Handkerchief about his Neck, and imme-
 " diately all four pulled him down and strangled
 " him, so as he could make no Noise; after which
 " they threw him behind the Rail, and gave him
 " some violent Punches on his Breast with their
 " Knees, and *Green* with all his Force wrung his
 " Neck almost round. *Prance* and *Berry* being
 " come to them, when he was quite Dead, they all
 " helped to carry the Body into Dr. *Godden's* Lodg-
 " ings, where *Hill* lived, and where they brought
 " him up Five or Six Steps into a little Room on the
 " Right Hand, and there left him that Night, and
 " Sunday all Day and Night. On Monday Night,
 " *Hill* and some others removed him into a Room in
 " the Upper-Court, where *Prance* was shewn the Body
 " by the Light of a Dark-Lanthorn, and where
 " *Bedloe* swore he saw *Prance*. On Tuesday Night,
 " they carried him into another Room in the long
 " Entry, over-against Dr. *Godden's* Lodgings; and
 " on Wednesday Night they removed it to the little
 " Room where it was first laid. Having kept the
 " Body above Four Days and Nights, *Girald* and
 " *Kelly* advised to have it carried into the Fields,
 " and leave it run through with his own Sword,
 " that he might be supposed to have murdered him-
 " self; and therefore his Money, Rings, &c. were
 " all to be left with him. This being agreed, they
 " resolved to carry him out that Night; and ac-
 " cordingly *Hill* procured a Sedan, or Chair, into
 " which

1678-9. " which they put the Body about Twelve a Clock.
 " *Berry* the Porter, having invited the Centinels in-
 " to his House, opened the Gate, and *Prance* and
 " *Girald* carried out the Sedan *. Thus, sometimes
 " they Two, and sometimes *Kelly* and *Green*, car-
 " ried it up towards *Sobo-Fields*, hard by the *Grecian's*
 " Church; and there *Hill* attending with a Horse,
 " they set the Body up before him and left the Sedan
 " in some unfinished Buildings in that Place; where-
 " upon *Girald* said, *I wish we had a Hundred such*
 " *Rogues as secure as this.* Then *Prance* being a
 " House-keeper, returned home; and the other
 " Four went on, one leading the Horse, *Hill* riding
 " and holding the Body, and the other Two walk-
 " ing by. They carried him to a Place called *Prim-*
 " *rose-Hill*, about Two Miles out of Town, where
 " they left him in a Ditch, with his own Sword run
 " through his Body by *Girald* himself, in the exact
 " Posture of one that had murdered himself."

This Deposition, which was immediately published, met with an entire Belief from the People. But afterwards, when the *Popish* Party was uppermost, several Authors made it their Business to find out Numbers of Mistakes and Inconsistencies in it; and even maintained that it was not penned by *Prance*, but by some abler Hand. As at first it was dangerous to say that *Prance* was a false Witness, it was afterwards no less dangerous to say he had spoke the Truth. To this is owing that some adhere to this Deposition, and others, relying on the Writings afterwards published against it, endeavour to prove the Falsity thereof.

*Procla-
mations
against
the Pa-
pists.*

While these Things were in agitation, the King was by no Means at Rest; the Plot, of which he was suspected to be the Contriver, as to that Part at least which concerned the Subversion of the Government

* One of the Centinels swore he saw a Sedan carried in; but none saw it carried out. *Burnet*, p. 446.

vernment and Religion, and the Impeachment of the Earl of *Danby*, which fell entirely upon his own Head, could not but give him great Uneasiness. To divert a little these Suspicions, he published in the Beginning of *January* several Proclamations against the *Papists*, who, immediately after the Prorogation of the Parliament, had flocked to *London* and *Westminster*. By another Proclamation he recalled all his Subjects from the foreign *Seminaries*; but these were Remedies little capable to remove the Jealousies and Fears of his People,

About this Time was discovered a College of *Jesuits* at *Come* in *Herefordshire*. And besides, a fresh Witness appeared, one *Stephen Dugdale*, who pretended to new Discoveries in the Plot, and accused five *Jesuits*, and one Priest as guilty of it *. This obliged the King to put out a new Proclamation against *Evers*, *Gaven*, *Vavasor* alias *Gifford*, *Levison*, *Jesuits*, Jesuits taken up upon the Information of Dugdale

* Had *Rapin* yet seen *Burnet*, he would not have omitted what he says of this *Dugdale* and his Evidence. He was, says *Burnet*, a Man of Sense and Temper, and behaved himself decently, and had somewhat in his Air and Deportment that disposed People to believe him: So that the King himself began to think there was somewhat in the Plot, though he had little Regard to *Gates* or *Bedloe*. He made a Discovery of a Correspondence that *Evers* held with the *Jesuits* in *London*, who had written to *Evers* of the Design of killing the King, and desired him to find out proper Men for executing it. Three other *Jesuits* pressed *Dugdale* to undertake it, promising he should be canonized for it, and the Lord *Stafford* offered him 500 l. if he would set about it. *Dugdale's* Evidence was confirmed by one Circumstance. He had talked in the Country of a Justice of Peace in *Westminster* that was killed, on the *Tuesday* after *Godfrey* was missed: so that the News of this must have been written from *London* on the *Saturday Night's* Post. He did not think it a Secret, so talked of it as News in an *Ale-House*. The two Persons, he said he spoke to, remembered nothing of it, but several others swore they had heard it. He said moreover, that the Duke had sent to *Coleman* when in *Newgate*, to persuade him to discover nothing, and desired to know whether he had ever discovered their Designs to any other Person; and that *Coleman* sent Answer that he had spoke of them to *Godfrey*, but to no other Man, upon which the Duke gave order to kill him, P. 444.

1678-9. fuits, and *Broadstreet*, a Priest, with a Promise of a Hundred Pounds to any that should apprehend *E-wers*, and fifty Pounds for each of the rest *.

The King
dissolves
the Par-
liament.
Calls ano-
ther.

A Reflecti-
on upon
this Par-
liament.

Mean while, as the Time for the Meeting of the Parliament drew near, the King, apprehensive that no Good could come of it, considering the present Temper of the *Commons*, and that he should only meet with new Mortifications, on the 24th of *January* dissolved it by Proclamation. By the same Proclamation he promised to issue out *Writs* for the calling of a new Parliament the 6th of *March* following. Thus ended the *Long-Parliament*, which had continued almost eighteen Years, and had been for twelve Years so favourable to the King. Never Parliament had been so liberal to a King, or carried the Prerogative higher. If *Charles II* had not pursued Methods so contrary to the Interest of his Kingdom, he would never have lost the Affection of this Parliament, which studied only to please him, and gave him the most effectual Proofs of their Zeal. But when in Process of Time they came to know that the King had ill Designs against the Government, and the established Religion, which were sufficiently discovered by his two Wars against *Holland*, and his intimate Union with *France*, they began to consider him as an Enemy to the State, whose Designs and Measures were by all Means to be disconcerted and broken. The Letters which *Mr. Montague* had laid before the Parliament convinced the most incredulous, that the King was a Pensioner of *France*, and sacrificed the Interests of *England* to that Crown. It is therefore no Wonder that the Parliament came into the Belief of a Plot which was so natural a Consequence of the King's Designs, now so manifest. Indeed the first Article of this Plot which related to the Killing the King, might be doubtful and uncertain; wherefore the Parliament desired to leave it

to

* *Gaven* was soon after taken into Custody, but the rest absconded.

to the Decision of the Courts of Justice. But the two latter concerning the Design of rendering the King absolute, and of subverting the established Religion, required no other Proofs than those which the King himself had given. Besides, the Duke of York being a professed *Papist*, and having a great Sway in the King's Counsels, it was not difficult to conceive, that being such a Zealot for his Religion, he would lose no Occasion of promoting it: And of this his Secretary's Letters were a convincing Proof. Indeed this Parliament was composed for the most Part of rigid *Episcopalians*, who perhaps had gone too far in their Persecution of the *Presbyterians*. But for all this, they were not in the Humour to sacrifice the *Protestant* Religion and the Liberties of the Nation, to their Passion against *Presbyterianism*. To this were owing the Quarrels between the King and his Parliament, the Mortifications so frequently given him, and his Dissolution of it at last, though he had in it so many Creatures gained, either by ready Money or Pensions. In the Beginning this Trade was secretly carried on, but after *Clifford* was advanced to the Treasury, it was practised so openly, that every Man's Name and Price were publicly known: Notwithstanding all this, when once the Conduct of the King and Court was seen into, it was no longer possible for the King to obtain a Majority in the House of *Commons*, because those who were willing to sacrifice the Nation's Money to the King, could not be brought to give up their Liberties and Religion. Another Cause still stopped the King in his Carriere, which was, that after the Jealousy conceived by the People against the Court, Vacancies in the Parliament were filled with Men of quite contrary Principles to the King and Duke of York, so that by Degrees the Parliament became very different from what it was in the Beginning. It is not therefore strange that the King was desirous to get rid of a Parliament from which he could expect no farther Benefit. But he

1678-9. he flattered himself in vain with having one more favourable; as will be seen hereafter.

*Elections
for a new
Parliament.*

Upon the 25th of *January* the King issued out *Writs* for the new Elections, which put the whole Nation into a Ferment. The People discontented with the Court, and full of Suspicions and Fears, affected to chuse for their Representatives, Men the most averse to *Popery* and *Despotick* Government. And as the High-Church-Men had been for several Years a little too zealously attached to the King; they being the Persons that in the last Parliament passed *Acts* which raised the Royal Power to a greater Height than ever; the People in general were not for trusting their Interests in such Hands. On the other Hand, the *Presbyterians*, though long oppressed were still numerous in the *Corporations*, so that by the Majority of their Votes they commonly carried the Elections in favour of their own Party, or at least made them fall upon Men, who only outwardly conformed to the Church of *England*. In a Word, when the Returns were made, it was found that the greatest Part of the Representatives were Men the most opposite to the Principles and Designs of the Court. The King, to prevent any ill Impressions, put on an extraordinary Severity against the *Papists*, and by Proclamation, on Complaint of the Neglects of the Persecution of *Recusants*, he enjoined the Chancellor to put out of Commission all Justices of Peace, who were remiss in their Duty. But this was an Artifice too well known, to be capable to persuade the People that the King was truly zealous for the *Protestant* Religion.

*Trial of
the Mur-
derers of
Godfrey.*

While Elections were busily carrying on through the Kingdom, three of the five Persons accused of the Murder of Sir *Edmondbury Godfrey*, namely, *Green*, *Berry* and *Hill*, were tried at the King's Bench-Bar before the Lord Chief-Justice *Scroggs*, on the 10th of *February*.

Oates deposed, that he had heard Godfrey say a little before his Death, *That he went in fear of his Life by the Popish Party.* 1678-9. Oates's Deposition.

One Robinson testified, that he heard him say, *That he believed he should be the first Martyr.* Robinson's Deposition.

Prance's Evidence was the same with what we have already seen. The Prisoners immediately objected to him, that he had recanted and denied all before the King and Council. The Court made for him the Answer which he had before given to the Council, viz. *That all That was nothing but an unusual Fear, and a want of a full Assurance of his Pardon.* Some look upon this as a great Partiality in the Judge. But it is to be observed that Judges sit upon the Tryal of Criminals not to condemn or acquit; the Jury decide the Case, and find the Prisoners Guilty or not Guilty. When therefore any material Difficulty arises, it is the Office of the Judge to direct the Jury, and show them what they are, and what they are not to mind, with the Reasons of their Opinion. Wherefore I very much doubt whether on this Occasion the Court exceeded the Bounds of their Duty, though I will affirm nothing.

Hill's Wife asked Prance whether he had not been tortured in Newgate since several had heard him cry out in that Place? He answered, *That he had not—That Captain Richardson had used him as civilly as any Man in England; and that all the Time he was there he wanted for nothing.* This Answer, as we see, is very contradictory to the aggravated Recital of his Torments, though even in that Recital nothing is said which at all tends to prove that he was put to the Torture. Nevertheless the Author of the Recital, better informed than Prance himself, makes no Difficulty to say, *That the poor Man to support the Credit of his Evidence, was forced to disown all his barbarous Usage.*

Bedloe had already deposed before the Lords, Bedloe's
 "That le Phaire, Walsb, Pritchard, Keins, &c. had Evidence.
 " wheedled

1678-9.

“ wheedled Sir Edmonbury Godfrey into Somerset-
 “ House Court under pretence of taking some Plot-
 “ ters, and after a Turn or two, and the Pretence of
 “ sending for a Constable, they shovd him into a
 “ Room, presented a Pistol to him, threatening to kill
 “ him, if he made any Noise, but would do him no hurt,
 “ if he would send for his Examinations; which he re-
 “ fusing to do, they stifled him between two Pillows,
 “ and after that upon finding some Life in him, they
 “ strangled him with a long Cravat.”

Some have remarked, that this first Evidence of
Bedloe's was directly contrary to *Prance's*. Others
 have observed, that *Bedloe* never said that he was pre-
 sent at the Murder, but only deposed what he heard
 from others; consequently that there was no real
 Contradiction between the two Evidences.

In the present Tryal Bedloe deposed,

“ That about a Fortnight before the Murder,
 “ *le Phaire*, *Pritchard*, *Keins*, and some other *Romish*
 “ Priests, all unknown to *Prance*, and his Criminals,
 “ discoursed him about Killing a certain Gentleman,
 “ not named; and then set him to insinuate himself
 “ into Sir Edmonbury Godfrey's Acquaintance, which
 “ he did under several Pretences; that on the very
 “ Day of the Murder *le Phaire* told him, there was
 “ a Gentleman to be put out of the way that Night, and
 “ would have him to assist; and that there would be
 “ four Thousand Pounds Reward from my Lord Bellasis,
 “ &c. and therefore desired him to meet in the Cloy-
 “ ster at Somerset-House that Evening, for thereabouts
 “ it was to be done; which he promised to do, but
 “ wilfully failed them, because he would not have his
 “ Hands in Blood. On the Monday after, *le Phaire*
 “ meeting again, charged him with Breach of Pro-
 “ mise, and appointed him to come to Somerset-
 “ House at Nine that Night, where he told the Wit-
 “ nesses, That he had done ill, that he did not help in
 “ the Business; but if he would help to carry him off.

" *he should still have half the Reward* ; and told him 1678-9.
 " he was actually Murdered. The Witness asked
 " *if he might see him* ; upon which *le Phaire* led him
 " through a dark Entry into a Room where were se-
 " veral People, and *Prance* amongst them, and only
 " by the Light of a *Dark-Lantern* he saw the Face of
 " the murdered Person, and knew him to be *Sir Ed-*
 " *mondbury Godfrey*. The Witness advised to tye
 " Weights about him, and through him into the
 " *Thames* ; but they did not approve of that, but
 " said, they would put it upon himself, and carry
 " him out in a Chair by the help of *Porter Berry*,
 " at twelve that Night. The Witness promised,
 " *upon the SACRAMENT*, which he had taken the
 " *Thursday* before, *to come again and help them* ; but
 " being got from them, his Conscience would not
 " permit him to go any farther ; though he had been
 " promised two Thousand Pounds for his Labour,
 " but he rather chose to discover the Villany to the
 " King and Council, and accept of a Quarter of the
 " Sum in an honest way."

What appears most strange in this Evidence is
 not its Opposition to the first, in which he only
 spoke by *Hearsay* ; but that *Bedloe* did not relate
 these Circumstances to the Lords, contenting him-
 self with saying, that he had seen *Godfrey's* Body
 in *Somerfet-House*, and *Prance* in the same Room.

The Constable that viewed the Body in the Ditch *The Con-*
 gave an Account, " That the Sword was sticking *stable's De-*
 " through him, but no Blood appeared upon the *position.*
 " Ground, and he found Gold and Silver in his
 " Pockets." Two Surgeons swore, " That they
 " verily believed the Sword was run through him
 " after he was dead and cold ; but that he dyed by
 " reason of the Suffocation, and breaking of his
 " Neck, and Bruises on his Breast."

Sir Robert Southwell deposed, " That *Prance* ha- *Sir Robert*
 " ving related the Matter to the Council ; and being *South-*
 " sent with the Duke of *Monmouth* and the Earl of *well's De-*
 " *Offory* *position.*"

1678-9. " *Ossory* to shew the Places he mentioned, did readily go to them all, and they appeared all to be such as he had described them; only as to the Room in the Upper-Court where the Body was laid one Night, having never been there but once, he said he could not positively assign it, but pointed to some Rooms, and said, he was sure it was thereabouts."

As to the Prisoner's Defence. *Hill* brought several Witnesses to prove, " That he was never out of his Lodgings after Nine a-Clock at Night, during the whole Time of this Transaction."

Some have pretended that no Regard was payed to these Depositions, because the Witnesses were *Papists*. But not one Word of this is mentioned in the printed Tryal, and it is difficult to know the Minds of the *Jury*, who were the only Judges of these Evidences.

Besides he proved, " That when he heard of *Prance's* being taken up for the Murther, he had full leisure to make his Escape, which he never endeavouring, was a great Presumption of his Innocence." It is to be presumed that the *Jury* took but little Notice of this Proof.

Green proved by two Witnesses, *James Warner* and his Wife, " That he was at their House in the Strand from between Seven and Eight, till after Ten, on that very Night and Time that Sir *Edmondbury Godfrey* was said to be murdered in *Somerfet-House*." But unluckily, *Warner* willing to corroborate his Evidence, added, " That *Green's* being apprehended a Month after the Murder of *Godfrey*, recalled to his Mind that the said *Green* had been with him on Saturday the 12th of October, from Eight to Ten in the Evening. But besides that, *Green* was not taken up till the 24th of December; that is to say, Two Months and Twelve Days after *Godfrey's* Murder; he was not apprehended for this Murder, but for refusing the Oaths, which could not occasion *Warner* to re-

“ member, that *Green* had been with him the Day
 “ *Godfrey* was murdered”. *Green* added, “ That
 “ when *Prance* was taken up, he shewed such a De-
 “ testation of the Fact, that he said, *Rather than be*
 “ *should escape, if he were guilty, he would be the*
 “ *Executioner himself*”. In all likelihood this Proof
 appeared not very material to the *Jury*. In behalf
 of *Berry* the Porter, the Soldiers that were placed
 Centinels at the Gate, testified, “ That no Sedan
 “ went out of the Gate that Night that the Body
 “ was said to be carried off, though one did come
 “ in, and that they could not be mistaken in so plain a
 “ Matter ”.

And *Berry's* Maid declared, “ That her Master
 “ was in Bed by Twelve a-Clock that Night, and
 “ never stirred out, which made it impossible for
 “ him to be upon the whole Expedition ”.

They all endeavoured likewise to invalidate *Prance's*
 Evidence; but the Court observed, “ That it was
 “ impossible that *Mr. Prance*, a Man of that mean
 “ Capacity, should invent a Story with so many
 “ consisting Circumstances, if there was no Truth
 “ at the Bottom of it ”: But, adds the Historian,
 whom I have often quoted, *others observed*, “ That
 “ the Story was invented by some Body else of a greater
 “ Capacity ”. This Insinuation is supported merely
 upon his Hypothesis: And besides had the Hand
 which drew up this Narrative been so able as is ima-
 gined, it had not been difficult to have given it a
 perfect Agreement with *Bedloe's* first Deposition,
 whereas this differed from that in many Respects.
 For where Invention is only concerned, and false Wit-
 nesses are at Hand to support the same, there will no
 great Difficulty occur about the Facts.

In Conclusion, the *Jury* brought them all in guilty *They are*
 of the Murder. Whereupon the Lord Chief Justice *condemned*
Scroggs said, “ They have found the same Verdict
 “ that he would have found, if he had been one
 “ with them ”.

1678 9.
and ex-
posed
without
making
any Con-
fession.

They all Three insisted upon their Innocence to the last Moment of their Lives. *Berry* owned, "That he was a Protestant in his Heart, but had for some time dissembled his Religion for his private Advantage".

Hill, to persuade the Ordinary of *Newgate* of his Innocence, gave him this notable Proof of it; "That he had wronged one in a Twelve-penny Matter, which had so troubled his Conscience, that he had made Restitution since his Condemnation, though he was in extreme want of present Necessaries": And therefore he thus argued with him, "If I have taken Shame upon my self, in confessing my Crime in the Case of a Trifle; can you think I would deny the Murder to maintain my Reputation?"

Green and *Hill* were executed the 21st of February; but *Berry's* Execution was put off till the 28th of May.

The Duke
of York
leaves the
Kingdom.

The Time for the Meeting of the Parliament drawing near, the King, after an Examination of the Returns made of the Members, foresaw a Storm gathering against the Duke of York. In Prevention therefore of it, and to persuade his Parliament that his Councils were no ways influenced by those of his Brother, he resolved to send him away; and for that purpose, the 28th of February he writ to him the following Letter:

A Letter
from the
King to the
Duke of
York.

I Have already given you my Resolves at large, why I think it fit that you should absent your self for some Time beyond the Seas: As I am truly sorry for the Occasion, so you may be sure, I shall never desire it longer than it will be absolutely necessary for your Good, and my Service. In the mean Time I think it proper to give it you under my Hand, That I expect this Compliance from you, and desire it may be as soon as conveniently you can. You may easily believe with what Trouble I write; there being nothing I am more sensible of than the constant Kindness you have ever had for me. I hope you are as Just to me, to be assured, That no Absence, nor any Thing else can ever change me from being truly and kindly Yours,

C. R.

The

The Duke immediately obeyed, and the 3d of ^{1678-9.} *March* set out for *Holland*, with the Dutchess his Wife, and the Princess *Anne* his Daughter; from whence he went and resided at *Brussels*. Who with-
draws to
Brussels.

In the mean time the King fearing that the Parliament would once more fall upon the Earl of *Danby*, who, in Prevention of his own Danger, might be obliged to reveal Secrets, which it was his Interest to keep concealed, he granted him, under the Great-Seal, as full and compleat a Pardon as could be drawn up.

The new Parliament meeting the 6th of *March*, the King opened the Session with a Speech tending to shew how well-affected he was to the Laws of the Land, and the *Protestant* Religion. He spoke of his Care in bringing to Punishment, as well those concerned in the Plot, as the Murderers of *Sir Edmund-bury Godfrey*, and forgot not to mention the Removal of the Duke of *York*. Lastly, he demanded Money as well to enable him to disband his Army, as to discharge the Arrears due to the Navy, and to keep it in a flourishing Condition; the Chancellor enlarged upon all these Particulars with great Exaggerations as was his Custom. The King's
Speech to
the Par-
liament.

The Parliament began with a warm Dispute between the King and the *Commons* about the Choice of a Speaker. The *Commons* having pitched upon Mr. *Edward Seymour*, the King, who knew that *Seymour* was a particular Enemy of the Earl of *Danby*, refused to give his Approbation, and ordered the *Commons* to proceed to a new Choice. The House was extremely displeased with this Refusal, alledging, A differ-
ence be-
tween the
King and
Commons
about the
Choice of
a Speaker. *That it was never known that a Person should be excepted against, and no Reason at all given, and that the Thing itself of presenting a Speaker to the King, was but a bare Compliment.* The King on his Side insisted on the Approbation or Refusal of a Speaker when presented to him, as a Branch of his Prerogative. During the Six Days that this Dispute lasted, the *Commons* made several Representations to the King, to which

1678-9.
A Fast appointed.

11th of April was appointed to be kept as a publick Fast-Day.

The 22d of March the Commons ordered a Bill to be brought in, to secure the King and Kingdom against the Danger and Growth of Popery.

The King
interests
himself in
the Earl of
Danby's
Affair.
An Offer of
the Lords,

The same Day the King going to the Parliament, spoke to both Houses in Favour of the Earl of Danby. But the Commons, unmoved with this Speech, were no sooner returned to their House, than they sent a Message to the Lords to demand that the Earl might be forthwith committed to safe Custody. The Lords seeing the Passion and Heat of the Commons, offered them in a Conference, the Heads of a Bill, by which the Earl of Danby should be for ever banished from the Presence of the King, rendered incapable of all Offices and Employments, and of receiving any Gifts or Grants from the Crown, and deprived of his Seat in Parliament. But the Commons were by no Means satisfied with such a Bill, probably for two Reasons. The first was, That the Earl of Danby had implacable Enemies amongst those who then directed the Affairs of the House. The second, That intending to discover the King's Secrets, by going to the Bottom of the Earl of Danby's Affair, they saw clearly that the Bill proposed was only an Artifice, to conceal what they were desirous to look into, and publish to the World.

rejected by
the Commons.

The Commons examine into the Earl's Pardon.
The Chancellor's account of it.

In the mean Time the Commons hearing that the King had signed a Pardon for the Earl of Danby, appointed a Committee to wait on the Chancellor, and enquire how this Pardon was sealed; and at whose Suit. The Chancellor answered, " That it was done very privately, the King having ordered him to bring the Seal into his Closet, and lay it upon the Table; that his Majesty commanded the Seal to be taken out of the Bag, and ordered the Person who usually carried the Purse to affix it to the Pardon". The Chancellor added in his Justification, " That at the very Time of affixing the Seal to the Parchment, he did not look upon himself to have

" the

*" the Custody of the Seal. That the Pardon was passed with the utmost Privacy, at the Desire of the Earl, who gave this Reason for it, That he did not intend to make use of it, but to stand upon his Innocence, except false Witnesses should be produced against him; and then he would make use of it at the last Extremity. That notwithstanding this Reason, he advised the Earl to let the Pardon pass in the regular Course; but after consulting with the King, his Majesty declared, He was resolved to let it pass with all Privacy " **

The House upon hearing of this Report, were inflamed against the Earl, and one of the Members^{*1}, naming the Earl of Danby, proceeded thus:

HE is the Person to whom we owe the Dangers and Fears of the French King against us: The Person to whom we owe the Threats and severe Answers to those bumble Addresses we made the last Sessions of Parliament: The Person to whom we owe the Ruin of this Na- *Speech against the Earl of Danby.*

* The King in his Speech for the Earl said, he had done nothing but by his Order, and therefore he had pardoned him; and if there was any Defect in his Pardon, he would pass it over and over again, until it should be legal. Upon this a great Debate was raised; some questioned whether the King's Pardon, especially when passed in Bar to an Impeachment, was good in Law: This would encourage ill Ministers, who would be always sure of a Pardon. The King's Pardon did indeed secure one against all Prosecution at his Suit: But, as in Case of Murder an Appeal lay, from which the King's Pardon did not cover the Person, since the King could no more pardon the Injuries done his People, than he could forgive the Debts that were owing to them; so from a Parity of Reason it was inferred, that since the Offences of Ministers of State were Injuries done the Publick, the King's Pardon could not hinder a Prosecution of Parliament, which seemed to be one of the chief Securities and most essential Parts of our Constitution. — When the Bill of Banishment which passed in the House of Lords was sent down to the Commons, *Winnington* fell on it in a most furious Manner, and inflamed the House so, that though it was offered that the Earl should be degraded of his Peerage as well as banished, and that no Pardon for the future should be pleaded in Bar to an Impeachment; the Bill was thrown out by the Commons, and a Bill of Attainder brought in, as will be seen hereafter. *Burnet*, p. 453.

*1 *Mr. Powle*, afterwards one of the new Council.

1678-9. *tion, and exhausting the King's Revenue : The Person to whom we owe the Expence of Two Hundred Thousand Pounds a Year, unaccounted for : The Person to whom we owe the Raising of a Standing Army to be kept up by the Receipt of Six Millions of Livres yearly, for three Years, to enslave Us, and our Religion : The Person to whom we owe the late Bone that was thrown in on the Sitting of the last Parliament, to hinder the good Issue that might have come by their Proceedings ; who is now laying down his Staff, and making up his Accounts in the Treasury, as he pleases, to enrich himself out of the Spoils of the People, and so depart.*

A Reflection upon the Plot.

I have often said, That the People in general were perswaded not only of the Reality of the Plot, at least with Relation to the Government and Religion, but that the King and the Duke of York were chiefly concerned in it. This Speech makes it clear that this was the Sentiment at least of him who spoke it ; for when a Member of the Commons advances such Propositions, without a Reprimand from the Speaker, it may certainly be depended on that he speaks the general Sense of the House. Besides the Removal of the Duke of York made it clear that the King was not ignorant of the Suspicion that was entertained of his yielding too much to the Counsels of his Brother. It is therefore very hard to conceive why so many ingenious Men bend all their Endeavours to destroy the Truth of the Belief of the Reality of this Plot, on Pretence that the Article, which related to the Design of killing the King, may be doubtful. For the Truth of the two other Branches concerning the Government and Religion, breaks in upon us from so many Circumstances, that we must be wilfully blind not to see it. Perhaps the Word *Plot* offends some Persons, who cannot comprehend how a King can conspire a *Plot* against his Subjects. But if this is the only Difficulty, I dare offer an Expedient for an immediate Agreement. In the Room of saying that there was a *Plot* on Foot to overturn the

the Government and the *Protestant* Religion, let us only say, that there was a meditated Design, supported by the King and the Duke of *York*, to render the King absolute, and introduce the *Papish* Religion. For this is precisely what is meant by the Plot. The Design of killing the King was only an Appendage to the Plot, supposing it to be real, and an Effect of the Zeal of some private Persons, who thought the Plot would be crowned with the surer Success, by speedily setting the Duke of *York* on the Throne.

I shall not insert here the Earl of *Shaftsbury's* Speech in the House of Lords, because so much Pains has been taken to represent him as the great Enemy of the King, and the Person who put all in Motion, that whatever came from him must be suspected. Nevertheless I shall produce one Passage out of this Speech :

" *Popery*, says he, and *Slavery*, like two Sisters, go Hand in Hand ; sometimes one goes first, sometimes the other ; but wheresoever the one enters, the other is always following close at Hand. In *England Popery* was to have brought in *Slavery* ; in *Scotland*, *Slavery* went before, and *Popery* was to follow ". Thus much is certain, that his Observation on the *Slavery* of *Scotland* was exactly verified, and that the Duke of *Lauderdale*, supported by the Court, exercised amongst the *Scots* a Tyranny unknown to their Forefathers. What then could the *English* expect, when they saw a neighbouring Kingdom, invested with no less Privilege than their own, governed in so absolute a Manner, under the same King and the same Ministry ? Could they expect that the same Maxims would not be copied in *England*, if it could be done with the same Ease ?

The same Day the Lords sent a Message to acquaint the House of *Commons*, that the Earl of *Danby* had withdrawn, and could not be found. Whereupon the *Commons* ordered, " That a Bill be brought in to summon *Thomas* Earl of *Danby*, to render himself to Justice by a certain Day to be therein limited ; or in Default thereof to attaint him ". The

1678-9.

1679.

March 25.

The Earl
of Shaftsbury's
Speech.

The Earl
of Danby
with-
drawn.
A Bill pro-
ferred
against
him by the
Commons.

1679.

The 3d of *April* Articles of Impeachment against the five Lords in the *Tower* were drawn up by the *Commons*, and carried up to the House of Lords, as well as the *Bill* to fix a Day for the Earl of *Danby* to render himself to Justice. The Lords having sent back this last *Bill* with some Amendments, the *Commons* were dissatisfied, because the Lords were not of Opinion, in case the Earl refused to surrender himself, to proceed against him by *Bill of Attainder*, but to content themselves with inflicting other Penalties. The two Houses had several Conferences upon this Subject, in which the *Commons* continued always firm, without abating any Thing of their Rigour against the Earl. At last the Lords passed the *Bill*, and appointed the 23d of *April* for the Earl's surrendering himself to Tryal. The Earl seeing that his Absence could not hinder the *Bill of Attainder* from passing against him, resolved at last to surrender himself to the Usher of the *Black Rod*, and the same Day he was sent to the *Tower*. The King now found himself involved in greater Difficulties than he had ever struggled with before, as he saw that the Earl of *Danby* could not make his Defence without divulging his Secrets.

*Passed by
the Lords.
He surren-
ders him-
self, and is
sent to the
Tower.*

*The King
forms a
new Coun-
cil.*

If the King would have altered his Maxims and Principles, nothing had been more easy for him than to have extricated himself out of these Troubles. He needed only to have broke off his Intelligence with *France*, to have dismissed those of his Ministers who were unacceptable to the Parliament, and acted with Sincerity for the Interest of the Kingdom, and of the *Protestant* Religion, abandoning all the Projects he had hitherto formed. But he could not bring himself to a Resolution of making this Sacrifice, as well because he believed his Honour was concerned, as because he only aimed to gain Time, and to amuse the Parliament. It was with this View that, by the Advice of Sir *William Temple*, he resolved to form a new Council, into which were to be admitted some Lords most opposite to him, as the Earls of *Shaftsbury*

bury and Essex. This Council consisted of Thirty Members, Fifteen whereof were ever to be the present Chief Officers of his Crown and Household. Ten were to be taken out of the Nobility, and Five out of the *Commons*. But he took Care in this Model of his Council, to have a Majority of such as were devoted to him. The Earl of *Shaftsbury* was made President of this Council, though no Man in the Kingdom was more hated by the King than himself. His Intention was to make the Publick and Parliament believe that he was resolved entirely to change his manner of governing, and to refer himself in all Affairs whatsoever, to the Advice of this new Council. But this was only to amuse the Publick. For as on the one Hand it was not possible for the King to depart from his Principles, either as to Religion or Government, so on the other Hand, the greatest Part of his new Counsellors were not of a Temper to sacrifice the Royal Authority to the Will of the Parliament. The Earl of *Shaftsbury* would have been well pleased with his Post of President of the Council, if his Authority had been answerable to the Rank he held in it. But he quickly perceived that he was there only for show, and to serve as an Instrument to the Designs of the King, whilst others had his Confidence. There were chiefly four that had the Direction of Affairs committed to them, who were the Earls of *Sunderland* and *Essex*, the Lord *Hallifax*, and Sir *William Temple*. These digested and prepared every Thing which was to be proposed to the Council or the Parliament.

The King had no sooner made this Change, than he went to the Parliament to acquaint them with it. But though the City of *London*, and the rest of the Kingdom rung with joyful Acclamations, and were persuaded that Things were taking a better Turn, yet the House of *Commons* received the News with great Coldness. They had not yet so much Confidence in the King, as to persuade themselves that he really intended to govern otherwise than he had hitherto

*Acquaints
the Par-
liament
with it.*

1679. therto done ; but believed this was some new Artifice, which would soon produce its Effects. So that by this Change the King gained not much Ground in the House of *Commons*. I am sensible that this Distrust of the *Commons* is ascribed to the Artifices of the Earl of *Shaftsbury*, and Sir *William Temple* more than once insinuates the same. But it is not easy to comprehend how one single Man could have influence enough in the Country-Party, to lead them which way he pleased, if that Party had not known other ways what *Shaftsbury* laboured to persuade them of. For Instance, this Earl insinuated that the Nation could never be safe against the Duke of *York*, and that when he should once possess the Crown, all Precautions, all Measures now taken against him would vanish and come to nothing. Was he in the wrong? And was there need of so great an Influence to convince the Country-Party of a Thing they were but too well persuaded of before? It is therefore a mere Artifice to impute the Animosity of the *Commons* to the Earl of *Shaftsbury* alone, as if it had no other Foundation than his Credit and Intrigues, in order to remove thereby the just and real Occasions of Complaint which the King's Government had given. They had seen in the foregoing Years the Measures pursued by the Court, as well against the established Government as Religion. What had the King done to make all this forgot? He had issued out Proclamations against the *Papists*, but they were so ill executed, that they were capable of giving no Security or Confidence to the Parliament. The King, under Colour that he might be engaged in a War against *France*, had levied an Army of Thirty Thousand Men, and at the same Time was negotiating a yearly Pension with that Crown of Six Millions of Livres for the Maintenance of these Troops, as appeared evidently from the Letters produced in Parliament. What had the King done to remove the Fears occasioned by this Army? He had applied to their Maintenance the Money which the Parliament had granted him

An Observation upon the Earl of Shaftsbury.

him for their disbanding, and if he had consented to their being dismissed, it was only because he applied to another use the Money received from *France*. In short, could the Transactions of the *Cabal*, the King's Indolence with regard to the Interests of *England* and of all *Europe*, the frequent Prorogations of Parliament at critical Times, when vigorous Resolutions were taking against *France*, now grown too powerful; his Design in Conjunction with that Crown of overturning the Commonwealth of *Holland*, a Design so directly opposite to the Interests of *England*, could all these Things I say be forgot? Could it not be seen that the King was without legitimate Children, and that the Duke of *York* his Brother and presumptive Heir, was not only a *Papist*, but also a Bigot to his Religion? Could the Parliament shut their Eyes against what passed in *Scotland*, where Tyranny was compleatly established? I only hint here at some of the principal Causes of the Nation's Suspicions and Fears, for to make a particular Recital of them would lead me too far. After all this, how is it possible to believe that the Intrigues and Artifices of the Earl of *Shaftsbury* were the sole Cause of the *Commons* Distrust? I do not doubt that he contributed to them, and that so well informed as he was of the King's secret Designs, he opened the Eyes of Numbers who would have suffered themselves to have been blinded by the Artifices of the Court. But this is not all that is meant by ascribing the People's Fears and Jealousies to the Intrigues of this Earl. Whether he acted through a Spirit of Revenge is no Concern of mine; however that be, it is certain that the Event made it too clear that his Advice was agreeable to the Interests of the Kingdom.

While the Alterations the new Council was to make in the Affairs of the Government, were impatiently expected, the House of *Commons* found themselves suddenly alarmed by an Information received of a fresh Design of the *Papists* to burn *London* a second Time. The House of one *Bird* in *Fetter-Lane* being

A Design
discovered
to burn
London.

1679.

being set on Fire, his Servant, called *Elizabeth Oxley*, was suspected of having done it on purpose, and sent to Prison. She confessed the Fact, and declared that she had been employed to do it by one *Stubbs* a *Papist*, who had promised her Five Pounds. *Stubbs* being taken up, confessed that he persuaded her to it, and that Father *Gifford* his Confessor put him upon it, telling him, that *there was no Sin in burning all the Houses of Hereticks*. He added, that he had frequent Conferences on this Affair with *Gifford* and two *Irishmen*. Moreover *Stubbs* and the Servant Maid declared that the *Papists* were to make an Insurrection, and expected an Army of Sixty Thousand Men from *France*. The *Commons* obtained a Pardon for *Stubbs* and the Servant Maid, in Consideration of their ready Confession. But every one inferred from this Incident, that *Gifford* had done his best to reduce the City of *London* to Ashes, as in the Year 1666.

This Accident produced an Address from the *Commons* to the King, to pray him to order the Execution of *Pickering* the Jesuit, and other condemned Priests.

But the *Commons* stopped not here. The same Day they resolved to meet on the Morrow, though it was *Sunday*, to consider of Means for the Preservation of the King's Person, and the *Protestant* Religion against the Attempts of *Papists*, as well under the present King, as his Successor. Accordingly the next Morning they first ordered a *Bill* to be brought in to banish all *Papists*, or reputed *Papists*, within *London* and *Westminster*, Twenty Miles from the same, for Six Months; and then they voted, *Nemine Contradicente*,

Vote of the
Commons
against the
Duke of
York.

“ That the Duke of *York* being a *Papist*, the Hopes
“ of his coming such to the Crown, has given the
“ greatest Countenance and Encouragement to the
“ present Conspiracies and Designs of the *Papists* a-
“ gainst the King and the *Protestant* Religion”. This
Vote was carried up to the Lords for their Concur-
rence *.

The

* By the Lord *Russel*.

The 25th of April the Earl of Danby appeared at the Bar of the House of Lords, and there produced the King's Pardon for all Crimes and Offences whatsoever committed before the 28th Day of February last. After which he was sent to the Tower. The Lords having given notice of this to the Commons, they ordered the Committee of Secrecy to examine the Nature of the Earl's Plea, who made their Report, "That it was a Thing without Precedent, that a Pardon was ever granted to any Person impeached by the Commons of High-Treason, or other High-Crimes depending in the Impeachment". After this Report, the Commons desired the Lords to demand of the Earl of Danby, *Whether he would rely upon, and abide by the Plea of his Pardon.* This was the Day after, and the Earl praying Time to answer; the Lords allowed him four Days.

1679.
The Earl of Danby pleads the King's Pardon.

The same Day the King returned this Answer to the Commons's Address for the Execution of Pickering and other Priests: Gentlemen, *I have always been tender in Matters of Blood, which my Subjects have no reason to take Exception at: But this is a Matter of great Weight, I shall therefore consider of it, and return you an Answer.*

The Vote of the Commons relating to the Duke of York touched the King to the Quick, who plainly saw that they did not intend to stop there. He therefore went to the Parliament the 30th of April, and in a short Speech recommended to the Houses the Dispatch of Three Affairs: 1. The Prosecution of the Plot: 2. The Disbanding of the Army: 3. The Providing a Fleet for the common Security. Then to give them a sensible Proof of his Care to preserve their Religion to Posterity, he told them, *That he had commanded his Chancellor to mention several Particulars, which he hoped would be an Evidence, that in all things that concerned the publick Security, he should not follow their Zeal but lead it.*

The King's Speech to the Parliament.

1679. "to make you happy, he would make it his Business to effect it for you. God Almighty long continue this blessed Union between the King, and his Parliament, and People."

A Reflection upon the King's Offers relating to the Duke of York's Succession.

These Proposals were not received by the House of Commons with that Applause the King expected. The Fears and Suspicions of the Commons were too great to be dissipated by such Offers. Though some Authors are pleased to call this an Infatuation in the House of Commons, yet I think my self obliged to observe, That the King offered indeed his Consent to Acts of Parliament, but suggested no Means to assure the Execution. It was an Artifice of the Court of England from the Reign of James I, to this Time, to talk of the Laws as the Bulwark of the Subject's Liberty, and Barriers so strong, that they were not to be got over. Nevertheless, that Prince and both his Successors had on several Occasions made a shift to go beyond them. I shall produce here some Instances of this, to which many more might be added. Were the Laws enacted for the Preservation of Religion under the Reign of James I, punctually executed? Of what Benefit could Laws made for the Security of their Liberty be to the Subjects, when James I, established it as a Principle, that though in Conscience and Honour the King ought to govern his Subjects with Equity, he might nevertheless in virtue of his Power govern in a despotick Manner, and the Subjects have no Right to controul his Actions? Did the *Petition of Right* restrain Charles I from levying *Ship-Money*? Did the Laws hinder the same King from governing Twelve Years together without a Parliament? Did he not in that Interval raise Supplies of Money by an absolute Authority? Had Charles II been more scrupulous? Was it in virtue of the Laws that he shut up the *Exchequer*, and seized the Money there without the Consent of the Proprietors? Was it for the better Execution of the Laws, which seem to secure the Liberty of the Subject,

ject, that he received annually from *France* a Pension of Six Millions of Livres? Of what use therefore are Laws, the Execution whereof no human Power can warrant, when the Interests of Prince and People are diametrically opposite, as must have been the Case in the Reign of a *Papish* Successor? This is sufficient to demonstrate that the King's Offer of his Assent to the *Acts* he proposed, was in effect incapable to dissipate the Fears of the People, because not only no Expedient was proposed to assure the Execution, but moreover it was not possible to give any such Assurance. But it will be asked what other Expedient was there for securing at once the Religion and Liberties of the Nation, consistent with the Right of Succession? I confess there was none, and affirm withal, that those offered by the King were insufficient. But to whom was this Impossibility owing? Undoubtedly to the Duke of *York*, who had openly declared himself a *Papist*, and from that time had with restless Endeavours excited both *England* and *France* to undertake the Defence and Propagation of his Religion, as is evident from his Secretary *Coleman's* Letters. To enable the Reader to judge of this Matter being the Principal of this Reign, I shall here propose some Questions which are necessary to be considered before he can decide in favour of King or Parliament.

Question the First. Was there any Danger to *England* in admitting a *Papish* Successor?

This the King himself did not pretend to deny; for otherwise, Why did he propose Expedients to prevent this Danger?

2d Question. Were the Expedients proposed by the King sufficient to prevent this Danger.

This is what no Person can either positively affirm or deny. For if on one Hand it may be supposed that a *Papish* Successor would have sincerely complied with the *Acts* proposed by the King; it may on the other Hand with equal Justice be supposed, that the Duke of *York*, the immediate Successor, considering

1679. his Principles, his Humour, his Temper, his Zeal for his Religion, would never have suffered with Patience the Restraints laid on him by these *Acts* of Parliament. But this was a Contingency of which God alone could know the Event.

3d Question. The *Commons* not believing that the Expedients offered by the King were sufficient to prevent the Danger, and the King believing that they were so; who was to yield, the King, or the People represented by the *Commons*?

This is what I shall not take upon me to decide.

4th Question. Which Evil was greatest, That of Breaking the lineal Succession in the Exclusion of the Duke of York, or that of exposing Religion and the Kingdom to Ruin and Destruction?

This Question supposes that the Kings of *England* succeed by a Right purely *Hereditary*. But this Supposition is very much controverted. It may at least be affirmed, that several Parliaments have decided the contrary *. As to the Question itself, it may at least be averred, that in *France*, in a parallel Case, upon the Death of *Henry III*, the Interests of the *Catholick* Religion were, without Hesitation, preferred to those of *Henry IV*, who was a *Protestant*, and the next Heir: But many affirmed, that as the *French* did ill, so the *English* Parliament was to blame to imitate them.

5th Question. The two Evils, that is to say, the Breach in the Succession, and the exposing the *Protestant* Religion, being supposed perfectly equal, which was it most reasonable should suffer, the Rights of the Duke, or the Religion of the Nation?

Some pretend that the Right of Succession is not to be violated upon any Consideration; that the Concerns of Religion itself are not of sufficient Weight to authorize such a Violation. Others on the contrary maintain, That when Things were reduced to such Extremity, that either the Duke or the People must suffer,

* An *Act* passed in Queen *Elizabeth's* Reign, asserting the Power of the Parliament to limit the Succession of the Crown.

fer, the Duke ought to be the Sufferer, because it was he who had brought Matters to this Pass.

1679.

The Reader ought to determine these Questions, before he can give a peremptory Verdict upon this Affair.

The Day after the King's and Chancellor's Speeches to both Houses, the *Commons* without taking any great Notice of his Majesty's Proposals about the Succession, fell upon the *Bill* for preventing the Dangers arising from *Poper*y, as well in his Reign as in that of his Successor.

They also read for the first time a *Bill* for better prevention of illegal Exaction of Money from the Subject; and ordered another to be brought in, "That when any Member of the House was preferred to any Office or Place of Profit, a new *Writ* should immediately issue out for electing a Member to serve in his stead."

The 5th of *May* they resolved, "That the Pardon pleaded by the Earl of *Danby* was illegal and void", and the Speaker, with the whole House, went up to the Lords Bar, and demanded Judgement against him.

Judge-
ment de-
manded a-
gainst the
Earl of
Danby.

Shortly after they drew up an Address against the Duke of *Lauderdale*, in the strongest and most aggravating Terms that could be invented, which they carried in a full Body to the King. But it seems the King could not then part with this Minister, the last of the *Cabal*, and therefore he coldly answered the Address by saying, *That he would consider of it, and return an Answer.*

An Ad-
dress a-
gainst the
Duke of
Lauder-
dale.

In the mean time the King sent a Message to the *Commons* by the Lord *Russel*, who acquainted the House, "That his Majesty commanded him to let the House know, that his Majesty was willing to comply with the Request made to him by the House concerning *Pickering*, and that the Law should pass upon him accordingly: That as to the condemned Priests, the House of Peers had sent for them, in order as his Majesty conceived to

Pickering
ordered to
Execution.

1679.

“ some Examinations. That he repeated his Instances to them for putting the Fleet in a good Posture, for dispatching the Discovery of the Plot, the Tryal of the Lords, and the *Bill* for the Security of Religion.”

A Money-Bill passed.

After this Message the *Commons* finished the Money-Bill for disbanding the Army, which had the Royal Assent the 9th of May. By this *Act* a Supply was granted to the King of Two Hundred and Six Thousand, Four Hundred Sixty Two Pounds, Seventeen Shillings and Three-pence, for paying off and disbanding the Forces raised since the 29th of September 1677. The *Act* had a Clause in it, that for the future, *Soldiers should not be quartered in any private Persons Houses against their Consent.*

At the same Time the Lords informed the *Commons*, that the Earl of Danby resolved to adhere to the Plea of his Pardon; and that the *Commons* having demanded Judgement against him as conceiving his Pardon illegal and null, the Tenth Instant was appointed for bearing the Earl of Danby to make good his Plea. The Lords likewise acquainted the *Commons* that they had resolved the five Lords in the Tower should be brought to their Tryals the 14th Instant.

A Difference betwixt the two Houses on the Earl of Danby's Affair.

The Part of the Message concerning the Earl of Danby so heated the House of *Commons*, that they resolved, “ That no *Commoner* whatsoever should presume to maintain the Validity of the Pardon pleaded by the Earl of Danby, without the Consent of the House first had, and that the Persons so doing should be accounted Betrayers of the Liberties of the *Commons* of England.” This Vote was posted up in several Places, that no Person might be ignorant of it. The true Reason of these Proceedings of the *Commons* was, Their Hopes, by the Examination of the several Articles of the Earl's Impeachment, of being let into all the King's secret Practices with the Court of France; whereas the King by his Pardon had put the Affair in such a State, that there would have been no more occasion to examine the

the Earl of *Danby's* Answers to the Articles exhibited against him. 1679.

The Vote of the *Commons* very much heightened the Differences that were already begun between the two Houses about the Manner of Proceeding against the five Lords in the *Tower*. For the Lords had addressed the King to appoint a *Lord High-Steward* to preside in the Tryals; but the *Commons*, thinking this unnecessary, proposed, "That a Committee of both Houses might be nominated to consider of the most proper Ways and Methods of proceeding upon Impeachments." And this is what the Lords refused, which occasioned a warm Dispute; but at last the Lords agreed to the Nomination of a Committee.

The same Day the Lords communicated to the House of *Commons* a Petition from the Earl of *Danby*, in which he set forth, "That he met with Informations severally from his Council, that he durst not appear to argue the Validity of his Pardon, by reason of the Vote of the House of *Commons*;" their Lordships therefore desired to know, *Whether there was any such Vote as was alleged in the Parliament?*

It appears plainly from the Proceedings of the *Commons*, that they only sought to drive things to Extremity. With this View they presented an Address to the King, representing, "That Multitudes of *Jesuits, Popish Priests, and Popish Recusants*, resorted to the Cities of *London and Westminster* in Contempt of his Majesty's Laws and Royal Proclamations. Wherefore they humbly besought his Majesty that the *Militia of London, Westminster, Southwark, the Tower-Hamlets, of Middlesex and Surrey*, might immediately be raised, and put in a Posture of Defence." The next Day, though a Sunday, they ordered a Bill to be brought in, (pursuant to their Resolve that Day Fortnight) To disable the Duke of York to inherit the Imperial Crown of England. Immediately after they resolved *Nemine*

Address of the Commons for the raising of the Militia.

A Bill brought in against the Duke of York.

1679. *Contradicente*, "That in Defence of the King's Person and the Protestant Religion, they would stand by his Majesty with their Lives and Fortunes; and that if his Majesty should come by any violent Death, they would revenge it to the utmost upon the *Papists*." This was soon after put into the Form of an Address, and presented to the King, who returned his Thanks and Answer, *That he would do what in him lay to secure the Protestant Religion, and was willing to do all such Things as might be to the Good and Benefit of his Subjects.*

An Address to the King. His Answer.

In the mean Time he sent them a Message on the 14th of May, to remind them of what he had said concerning the Fleet; but the Consideration of this Message was adjourned till the Monday seven-night afterwards.

A Difference between the two Houses relating to the Bishops.

The Committee of both Houses meeting to consider of the Way and Method of trying the impeached Lords, a warm Dispute began between the two Houses, on occasion of the Bishops; the *Commons* pretending that the Bishops could not sit upon the Tryal of the impeached Lords, as it was a Case of Blood; the Lords on the other Hand maintaining, "That the Lords Spiritual have a Right to stay and sit in Court, till the Court proceed to the Vote of *Guilty or not Guilty*." This Affair made a great Noise, and occasioned several Books to be written on both Sides*.

At

* The Lords *Nottingham* and *Roberts* argued for the Bishops voting. But the Lords *Essex*, *Shaftsbury*, and *Hollis* were against it. Upon a Debate it was carried by the Majority that the Bishops had a Right to vote. Whereupon the *Commons* declared they would not proceed, unless the Bishops were obliged to withdraw during the whole Tryal. Upon this Breach the Parliament was prorogued, and soon after dissolved. And the Blame was cast chiefly on the Bishops. It seems they desired to withdraw, but the King would not suffer it. He was so set on maintaining the *Pardon*, that he would not venture such a Point on the Votes of the Temporal Lords. He told the Bishops they must stick to him and his Prerogative, as they would expect that he should stick to them if they came to be put at. By this Means they were exposed

At last, on the 15th of May, the Commons read for the first Time their Bill, to disable the Duke of York from inheriting the Imperial Crown of England; now called the *Exclusion-Bill*. After the Particulars of the Conspiracy against the established Government, and the *Protestant Religion*, it was set forth :

“ That the Emissaries, Priests and Agents for the Pope, had traiterously seduced James Duke of York, Presumptive Heir to these Crowns, to the Communion of the Church of Rome; and had induced him to enter into several Negotiations with the Pope, his Cardinals and Nuncio's, for promoting the *Romish Church* and Interests; and by his Means and Procurement had advanced the Power and Greatness of the French King, to the manifest Hazard of these Kingdoms. That by Descent of these Crowns upon a Papist, and

posed to the popular Fury, and every where censured as a Set of Men that for their own Ends, would expose the Nation and *Protestant Religion* to Ruin. And in Revenge many began to declare openly in favour of the *Non-conformists*, who upon this behaved very indecently, and fell very severely upon the Body of the Clergy. On the other Hand, the Bishops and Clergy set themselves to write against the late Times, and to draw a Parallel between them and the present Times: which was not managed decently enough by those who undertook the Argument, and who were believed to be set on and paid by the Court. Particularly Sir Roger l'Estrange for four Years published Three or Four Sheets a Week under the Title of the *Observer*, all tending to defame the contrary Party, and make the Clergy apprehend their Ruin was designed. Upon this the greatest Part of the Clergy delivered themselves up to much Heat and Indiscretion, which was vented both in their Pulpits and common Conversation. They seemed now to lay down all Fears of *Popery*: and nothing was so common in their Mouths as the Year Forty One, which, as they hinted, was near being acted over again. Both City and Country were full of many Indecencies that broke out on this Occasion. Among the worthy and Eminent Men, whose Labours did in great measure rescue the Church from those Reproaches that the Follies of others drew upon her, were Tillotson, Tennison, Sharp, Patrick, Sherlock, Fowler, Scot, Calamy, Claget, Cudworth, the two Mores, Williams, &c. Burnett.

[1679.

“ by foreign Alliance and Assistance, they might be
 “ able to succeed in their wicked and villainous De-
 “ signs——” It was therefore enacted by the King
 and the two Houses of Parliament :

“ 1. That the said *James Duke of York, Albany,*
 “ and *Ulster*, should be incapable of inheriting the
 “ said Crowns of *England, Scotland, and Ireland,*
 “ with their Dependencies ; and of enjoying any of
 “ the Titles, Rights, Prerogatives, and Revenues,
 “ belonging to the said Crowns. 2. That in Case
 “ his Majesty should happen to dye, or resign his
 “ Dominions, they should devolve to the Person
 “ next in Succession, in the same manner as if the
 “ said Duke were dead. 3. That all Acts of Sovereignty
 “ and Royalty that Prince might then happen
 “ to perform, were not only declared void, but to
 “ be High-Treason, and punishable as such. 4. That
 “ if any one, at any Time whatsoever, should en-
 “ deavour to bring the said Duke into any of the
 “ forementioned Dominions, or correspond with him
 “ in order to make him inherit, he should be guilty
 “ of High-Treason. 5. That if the Duke himself
 “ ever returned into any of these Dominions, con-
 “ sidering the Mischiefs that must ensue, he should
 “ be looked upon as guilty of the same Offence ;
 “ and all Persons were authorized and required to
 “ seize upon and imprison him, and in Case of Re-
 “ sistance made by him and his Adherents, to sub-
 “ due them by Force of Arms.”

*The Bill
 read a se-
 cond time.*

Five Days after, this *Bill* was read a second Time,
 upon which the Question being put whether the *Bill*
 should be committed, the *Yeas* had a Majority of
 Seventy-nine, upon a Division of the House *.

*An En-
 quiry into
 the Mem-
 bers of the
 last Par-
 liament.*

This Affair being put in a way, the *Commons* pro-
 ceeded to an Enquiry after the Pensioners of the last
 Parliament, which were found to be neither so nume-
 rous

rous nor considerable as was expected. Eighteen were discovered who had received annual Pensions from the King; two 1000 *l.* a Piece *, six 500 *l.* *¹, two 400 *l.* *², four 300 *l.* *³, four 200 *l.* *⁴. Besides there were six others who had received certain Sums at one Time: Three more were brought in for Sums received upon Account; and five for uncertain Sums. Though this Number appears not very considerable, it is nevertheless so, when it is considered that in the House of Commons there are Members, who are so dextrous, and of such Influence, that they dispose of several Votes besides their own, some more, some less; and that a handful of Pensioners may upon many Occasions turn the Resolutions of the House which way they please.

In the mean Time the King being highly offended with the House of Commons, and hearing moreover that they had a Design to present to him a Remonstrance, not much unlike that presented to the King his Father in 1641, and which was intended to inflame the Nation against him, resolved to prorogue the Parliament. For this Purpose he went to the House of Lords the 27th of May, and sending for the Commons, he passed some Bills, and particularly one for securing the Liberty of the Subject, called the *Habeas Corpus Act*, and then prorogued the Parliament to the 14th of August. By this the *Exclusion-Bill* was dropped for a Time.

The News of the Proceedings in the *English* Parliament had so raised the hopes of the *Scotch* Malecontents, that they thought the Time was now come to take full Revenge upon their late Persecutors. *Sharp* Arch-
The barbarous Murder of the Archbishop of St. Andrews.

* Sir Courtney Poole and Sir Job Charlton.

*¹ Sir Jonashan Trelawny, Robert Roberts, Sir James Smith, Sir Philip Howard, Sir Richard Wiseman, and Randolph Egerton.

*² Sir Charles Wheeler, and Thomas Price.

*³ Sir John Barnaby, Sir Lionel Walden, Daniel Collingwood, and Robert Philips.

*⁴ Colonel King, Mr. Westphaling, Humphrey Cornwall, and Mr. Noel. This List is said to be procured by the Help of Sir Stephen Fox.

1679.

Archbishop of St. Andrew's was marked out a Sacrifice to their first Fury. If Doctor Burnet in the Account of his own Times is to be believed, *Sharp* had done enough to merit the Hatred of the *Presbyterians*. For on Pretence of an extraordinary Zeal for their Party, he had prevailed to get himself deputed to London on the Restoration, to take Care of their Interests, but had basely betrayed them. This raised him to the Archbishoprick of St. Andrew's, and from that Time he became their most violent Persecutor. Whether this is according to strict Truth, or a little aggravated, it is however not to be denied, that the *Scotch Presbyterians* were extremely incensed against *Sharp*, and considered him as a Traytor. Wherefore in this Crisis, which seemed to flatter them with great Changes, Twelve of them resolved to take their first Revenge upon the Archbishop. For this Purpose they waited for him about two Miles from St. Andrews, whither he was going in a Coach and Six, and most inhumanly and barbarously murdered him, calling him, *Apostate, Betrayer of the Godly, and Persecuter of Christ's Church*. This Murder was committed the 2d of May *. In the End of the same Month 80 *Presbyterians* appeared in Arms, and in a few Days their Number rose to 1500. They seized *Glasgow*, and some other Towns in the Neighbourhood, and committed great Disorders.

An Insurrection in Scotland.

The

* Though *Rapin* names *Burnet*, he follows *Echard's* Account of this Murder, which is very different from the Bishop's. He says As a Party of furious Men were riding through a Moor near St. Andrew's [without any Design then upon *Sharp*] they saw the Archbishop's Coach appear. He was coming from a Council-Day, and was driving home, having sent some of his Servants before to let them know he was coming, and others he had sent off on Compliments; so that there were no Horsemen about the Coach. They seeing this, concluded, according to their frantick *Enthusiastick* Notions, that God had now delivered up their greatest Enemy into their Hands. Seven of them made up to the Coach, and one fired a Pistol at him, which burnt his Coat and Gown, but did not touch his Body. Upon this they drew him out of his Coach, and murdered him barbarously, p. 471.

The King having Intelligence of this Rebellion, and that it gathered Strength daily, sent the Duke of *Monmouth* at the Head of some *English* Forces, who were joined by some *Scotch* Regiments. The Duke acquitted himself with such Bravery and Success, that the 22d of *June* he gave an entire Defeat to the Rebels, killed eight Hundred, and took more than twelve Hundred Prisoners. Several were hanged, and the rest transported into the *American* Islands.

Shortly after the Prorogation of the Parliament, the Tryal of the five *Jesuits*, *Whitebread*, *Harcourt*, *Fenwick*, *Gawen*, and *Turner* came on. The 13th of *June* they were brought to the *Old-Baily*, where their Indictment was read, and the Witnesses heard.

Oates's Evidence was, “ 1. That the Consult of *Oates's* the 24th of *April* 1678, was by Order of *Whitebread* the Provincial, and that he, *Fenwick*, *Harcourt*, and *Turner*, did all in his Presence sign the Resolve for the King's Death. 2. That *Whitebread*, after his Return to *St. Omer's*, did say, He hoped to see the black Fool's Head at *Whitehall* laid fast enough; and if his Brother should appear to follow his Footsteps, his Passport should be made too.

“ 3. That in *July*, *Albby* a Priest, brought over Instructions from *Whitebread*, to offer Sir *George Wakemanten* Thousand Pounds to poison the King; and also a Commission to Sir *John Gage* to be an Officer in the Army they designed to raise, which the Witness delivered to Sir *John*.

“ 4. As for *Gawen*, though he could not positively say he saw him at the Consult, yet he saw his Hand subscribed to the Resolve: And that in *July* 1678, he gave them in *London* an Account how prosperous their Affairs were in *Staffordshire* and *Shropshire*; that the Lord *Stafford* was very diligent, and that there was two or three Thousand Pounds ready there to carry on the Design; all which he afterwards heard him declare in *Father Ireland's* Chamber.”

Stephen

Stephen Dugdale, *a new Witness, deposed,*

Dugdale's
Depositions.

“ 1. Against *Whitebread*, that he saw a Letter under his Hand to Father *Ewers*, a *Jesuit*, and Confessor to the Witness; in which he ordered him to be sure to chuse Men that were *hardy* and *trusty*, no Matter whether they were *Gentlemen*: And he swore what they were to do; that the Words under his Hand were in exprefs Terms—*For Killing the King.*

“ 2. Against *Gawen* he swore, that he entertained the Witness to be of the Conspiracy to Murder the King, as one of those resolute Fellows described by *Whitebread*; and for that End they had several Consultations in the Country; as at *Boscobel*, and at *Tixal* in September 1678. And he heard them talk in one of those Consults, that it was the Opinion of the *Monks at Paris*, who were to assist in the Conspiracy, *That as soon as the Deed was done, they should lay it on the Presbyterians*, and so provoke the other *Protestants* to cut their Throats. That he had intercepted and read above a Hundred Letters to the same Purpose, to be delivered by private Marks known to Father *Ewers*.

“ 3. That the Witness himself was so Zealous in the Cause, that he had given them four Hundred Pounds for carrying on the Design, which *Gawen* had made him believe was not only lawful, but meritorious; and that he was to be sent up to *London* by *Harcourt*, there to be instructed about Killing the King.

“ 4. That the same *Harcourt* did write Word to Father *Ewers* of Sir *Edmondbury Godfrey's* being dispatched that very Night it was done; so that they knew of it in *Staffordshire* several Days before it was commonly known in *London*. And to confirm this Testimony, he produced Mr. *Chatwin*, a Gentleman, who swore, he did hear it reported

“ as from Mr. *Dugdale* ; and that he was not in
 “ Town when the Murderers of Sir *Edmondbury God-*
frey were tryed, or else he then would have wit-
 “ nessed the same.

“ 5. Against *Turner* he swore, That he saw him
 “ with others at *Ewers's* Chambers ; where they con-
 “ sulted together to carry on this Design of bring-
 “ ing in *Popery* by killing the King.”

Prance deposed,

“ 1. That *Harcourt* one Day paying him for an *Prance's*
 “ Image of the *Virgin Mary*, told him there was a *Deposition*;
 “ Design of Killing the King : And that *Fenwick*
 “ told him in *Ireland's* Chamber, that there should
 “ be Fifty Thousand Men in Arms in a readiness to
 “ settle their Religion, and that they should be com-
 “ manded by the Lords *Bellasis*, *Powis*, and *Arun-*
 “ *del of Warder*.”

Bedloe deposed,

“ That he had seen *Whitebread* and *Fenwick* at se- *Bedloe's*
 “ veral Consults about the Plot ; and that he had *Deposition*.
 “ heard *Whitebread*, at *Harcourt's* Chamber, tell *Cole-*
 “ *man* the manner of sending the four *Ruffians* to
 “ *Windsor* to kill the King.

“ 2. That he saw *Harcourt* take out of a Cabinet
 “ about Fourscore or a Hundred Pounds to give
 “ to a Messenger, to be carried to the said *Ruf-*
 “ *fians*, with a Guinea to drink Mr. *Coleman's* Health.

“ 3. That *Whitebread* told him, that *Pickering* was
 “ to have a great Number of *Masses*, and *Grove*
 “ fifteen Hundred Pounds for killing the King.

“ 4. That *Harcourt* employed him three several
 “ Times to carry their Consults beyond the Seas ;
 “ and that in *Harcourt's* Presence, he received *Cole-*
 “ *man's* Thanks for his Fidelity, and that *Harcourt*
 “ recommended him to the Lord *Arundel*, who pro-
 “ mised him great Favour when the Times were
 “ turned :

1679. “ turned : Also that he saw *Harcourt* give *Wakemah*
 “ a *Bill* to receive 2000 Pounds, in part of a greater
 “ Sum ; and heard *Sir George* say, *fifteen Thousand*
 “ Pounds was but a small Reward for the settling *Reli-*
 “ gion, and preserving three Kingdoms from Ruin.”

*A Letter
 produced.*

Besides these Evidences, there was a Letter found amongst *Harcourt's* Papers, from one *Petre* a *Jesuit*, which names a Meeting designed on the 24th of *April* 1678, which was brought to fortify *Oates's* Evidence of the Grand Consult : But this was explained to signify a Triennial Meeting about the Choice of a Procurator to be sent to *Rome*, but not to the full Satisfaction of the Court, which looked upon it as an Evasion.

*The Prisoners
 Defence.*

The Defence made by the Prisoners was various and long : Besides their frequent Asseverations and Protestations of their Innocence, and their Ignorance of any Designs against the King ; they much argued against the Witnesses, insisting,

“ That to the making of a credible Witness, there
 “ must be *Integrity of Life, Truth of Testimony*, and
 “ *Probability of Matter* ; but the Witnesses against
 “ them, *Oates, Bedloe, Prance, and Dugdale*, were
 “ Men of desperate Fortunes, and flagitious Persons,
 “ and that false Swearing was their livelihood.”

A Remark.

I cannot forbear remarking by the way, that if this Maxim, *That to make a credible Witness, Integrity of Life is required*, should be received without Restriction, it would be almost impossible to come at any Proofs of Plots like this, because commonly only Villains engage in them, and they are only discovered by Accomplices.

“ They alledged particularly the great Improb-
 “ ability of trusting *Oates* with Secrets of the highest
 “ Importance, when he was turned away from *St.*
 “ *Omer's* for his Misdemeanours and Immoralities,
 “ which were so great, that he was denied the Sa-
 “ crament.”

" crament. They charged him with Contradictions,
 " with Relation to his former Evidences," 1679.

These Contradictions consisted in this, that *Oates* had said before the Council that he knew no more, and yet had added a great many Things afterwards. I shall not repeat here what I have said before upon this Matter.

They produced about sixteen Witnesses to prove, " That *Oates* had been all *April*, *May*, and till the " latter End of *June* 1678, at *St. Omer's*; and that " they saw him every Day, and conversed and dined " with him, and that he was never out of the Col- " lege, except two Days, and one Night he was at " *Watton*, and two or three he was in the *Infirmery*, " &c. and consequently he could not be at the Con- " sult of the 24th of *April*.

And further they proved, " That *Sir John War-* " *ner*, and *Sir Thomas Preston*, whom *Oates* had sworn " to have come over with him to the Consult, were " all that Time beyond the Seas, one at *Watton*, the " other at *Liege*."

And moreover to shew that *Oates* was not a Man to be credited, they produced eleven Witnesses to prove, " That *Father Ireland*, who was executed, " was not at *London*, and made it appear directly " contrary to what he had sworn upon his Tryal. " They added, that if the Evidence of their Side " should be rejected because they were *Roman Ca-* " *tholicks*, all Commerce with several Countries " would be destroyed."

The Chief Justice replied, that they had no room to complain of the Witnesses being rejected by the Court, because on the contrary, their Depositions had been received without any Scruple, and that it belonged to the *Jury* to determine upon their Evidence as they saw Cause.

1679.

In Answer to these Accusations, *Oates* alledged, " That his coming to *London* to the Consult was very private ; yet he produced Six Witnesses to testify they saw him there about that Time, but in " a sort of a Disguise " *. But none spoke very home but *Mr. Smith* a Schoolmaster of *Islington*, who afterwards in the Reign of King *James II* retracted all that he had said.

As to *Ireland's* being in *London*, *Oates* produced one Witness, who did affirm to have seen him there at that time.

Gawen offered to undergo the *Ordeal*, or fiery Tryal, over red-hot Plow-shares, as a Test of his Innocence. But besides that this way of proving an accused Person's Innocence was abolished Six Hundred Years ago, and consequently out of the Power of the Court to allow, it is certain that at the Time when the Tryal by *Ordeal* was practised, it was never made use of but where other Proof was wanting, which could not be complained of here.

Harcourt urged in his Defence, with regard to the Letter said to be wrote by him to *Ewers* concerning *Godfrey's* Death, That he must have been mad to send such a Letter by the Post.

The Je-
suits con-
demned.
Lang-
born's
Tryal.

The Jury after a short consideration returned, and brought all the five Prisoners in guilty of High-Treason ; but Sentence was respited till the next Day ; on which came on the Tryal of *Richard Langborn* a Counsellor at Law of the *Temple*, a *Romish* Gentleman well skilled in Conveyancing, and much employed by that Party. Being brought to the same Place with the five *Jesuits*, and before the same Persons, with a new Jury ; *Oates* appeared and swore :

" 1. That

* An old *Dominican Friar*, still of that Church and Order, swore he saw *Oates* in *England*, and spoke with him at that time. By this the Credit of the *St. Omer*-Scholars was quite blasted. *Burnet*, p. 464.

“ 1. That the Prisoner held Correspondence with
 “ *la Cbaife*, and others, and that the Witness car-
 “ ried several Letters to Persons beyond the Seas ;
 “ in one of which he saw under his own Hand, Words
 “ to this purpose, *That now they had a fair Opportu-*
 “ *nity to begin or give the Blow*, with other Expressi-
 “ ons plain enough concerning the Plot.

“ 2. That he had Order from the Provincial
 “ *Whitebread* to give Mr. *Langborn* an account of the
 “ *Resolve* of the great Consult, *April* the 24th 1678,
 “ and upon acquainting him with it, the Gentleman
 “ lifted up his Hands and Eyes, and prayed, *That*
 “ *God would give it good Success*.

“ 3. That he saw in his Chamber certain Commis-
 “ sions which they called *Patents* ; and that he per-
 “ mitted the Witness to peruse several of them : One
 “ was to the Lord *Arundel* of *Warder*, to be Lord
 “ Chancellor, another to the Lord *Powis*, to be
 “ Treasurer, and one to the Prisoner, to be Advo-
 “ cate of the Army ; all signed *Johannes Paulus d’*
 “ *Oliva*, by virtue of a Brief from the Pope.

“ 4. That being employed as a Solicitor for seve-
 “ ral of the Fathers of the Society, the Prisoner pre-
 “ vailed upon the *Benedictine* Monks, to raise six
 “ Thousand Pounds for carrying on the Cause ; and
 “ said in his hearing, *That he would do his utmost for*
 “ *procuring the Money*.

“ 5. That he was disgusted that Sir *George Wake-*
 “ *man* was not contented with Ten Thousand Pounds
 “ to poyson the King, and called him a *narrow-spi-*
 “ *rited Fellow, narrow-souled Physician* ; *who, for so*
 “ *publick a Cause, ought to have done it for nothing*.

6. An Instrument being produced, signed *Paulus*
de Oliva, found in *Langborn’s* Chamber ; *Oates* swore,
 “ That the fore-mentioned Commissions were signed
 “ by the same Hand ; but they were all conveyed
 “ away, and this being only an *Ecclesiastical* Business,
 “ and not dangerous as they thought, was left be-
 “ hind.”

1679.

In the next Place *Bedloe* swore, “ 1. That going
 “ with *Coleman* to the Prisoner’s Chamber, the for-
 “ mer gave him his Letters to *Father la Chaise* the
 “ Pope’s *Nuncio* and others, open to read and re-
 “ gister in a Book kept by him for that purpose ;
 “ and that some of the Expressions in these Letters
 “ were, *That all Things were now in Readiness, and they*
 “ *only wanted Money ; that the Catholicks were now*
 “ *in Safety ; that Places and Offices had been disposed to*
 “ *them, and that all Garrisons either were or suddenly*
 “ *would be in their Hands ; and now they had a fair*
 “ *Opportunity, having a King that was so easy to be-*
 “ *lieve what was dictated to him by a Party.*”

“ 2. That he brought other Letters from *Harcourt*
 “ to *Langborn* to be registred ; of which Letters,
 “ one was from the Rector of the *Irish* College at
 “ *Salamanca*, which specified, *That the Lord Bellasis*
 “ *and the rest concerned should be in readiness, for that*
 “ *they had sent some Irish cashiered Soldiers, with many*
 “ *other Lay-Brothers, under the Notion of Pilgrims*
 “ *for St. Jago, who were to take Shipping at the Groyne,*
 “ *and to land at Milford-Haven, and there, to join*
 “ *with the Lord Powis.*”

Mr. Langborn in his Defence, besides the solemn
 Protestations of his Innocence, alledged, “ That
 “ *Oates* and *Bedloe* the Witnesses against him were
 “ Parties in the Crime, and desired to know whe-
 “ ther they had their *Pardons.*” Upon understanding
 that *Bedloe* had Three, and *Oates* had Two under
 the Broad-Seal ; he insited, “ That they were still
 “ *Approvers* in the Eyes of the Law, and therefore
 “ not to be heard ; and desired to know if they ex-
 “ pected any Rewards for their Discoveries.” *Oates*
 replied upon Oath, “ *That he had been rewarded by*
 “ *expending Six or Seven Hundred Pounds out of his*
 “ *own Pocket, without knowing if he should ever see it*
 “ *again.*” *Langborn* then alledged, “ He had
 “ heard *Bedloe* had received Five Hundred Pounds” ;
 but he was answered, “ That that was for the
 “ Discovery of *Sir Edmondbury Godfrey’s* Murder,
 “ and

“ and not for the Plot.” And *Bedloe* swore, “ *That*
 “ *he was so far from having any Benefit for that Dis-*
 “ *covery, that he was Seven Hundred Pounds out of*
 “ *Pocket.*” When the Prisoner insisted upon the Im-
 probability of their Assertions, by Reason of their
 great Necessities and Poverty, when they first made
 their Discoveries, he was told, “ That such Enquiries
 “ were foreign to the Matter in Hand.” And so he
 proceeded to prove *Oates* to be perjured with Respect
 to the Consult in *April 24*, and to the Business of *Fa-*
ther Ireland, by the same Witnesses that had been
 used by the Five Jesuits the Day before. Whereupon
 the Chief Justice told him that a Witness could not
 be rejected as perjured, unless he was declared so up-
 on a Tryal ; therefore his Allegation could not be of
 any Service to him.

As *Oates* had formerly sworn, that he lay at
Grove's House about the Time of the Consult, he
 brought *Mrs. Grove* to testify, that he never was
 there about that Time ; which was confirmed by her
 Maid ; and both affirmed that the House was taken
 up, and that there was no room to lodge him. The
 Court thereupon said, that being disguised he might
 lodge there without being known.

While this Tryal was depending, the Earl of *Castle-*
main came into the Hall, and told the Judges, That
 the Mob used Violence towards the Witnesses who
 had deposed in Favour of the Prisoners, and that
 they were in Danger of their Lives ; upon this the
 Court ordered immediate Inquiry to be made after
 the Authors of these Violences, that they might be
 punished according to their Deserts.

In Conclusion, the Jury brought *Langborn* in guilt-
 ty, and he received Sentence, together with Five
Jesuits that had been tried the Day before.

Langborn
is condem-
ned.

On the 20th of *June* the Five Jesuits were executed,
 with Protestations of their Innocence. *Whitebread* in
 particular, declared “ That he renounced from his
 “ Heart all manner of *Absolutions, Dispensations for*
 “ *Swearing, &c.* which some had been pleased to lay

The Jesuits
executed.
without
making
any Con-
fession.

1679. “ to the *Jesuits* Charge, thinking them *unjustifiable*,
 “ and *unlawful*.” *Langhorn's* Execution was put off
 for a Month. He was executed the 14th of *July*,
 and died protesting his Innocence of the Crimes for
 which he was condemned. It was the Wonder of
 many, that so able a Lawyer, if he were innocent,
 had made so weak a Defence.

As the Death of these Five *Jesuits*, and the Three
 before executed, made a great Noise ; and as to this
 Day they are believed innocent by some, and guilty
 by others ; I cannot forbear bestowing a few Reflecti-
 ons upon this Subject, to assist the Reader to make
 an impartial Judgement.

*A Reflec-
 tion upon
 these Try-
 als.*

1. The Truth will never be discovered, if Men
 suffer themselves to be led away with the Prejudices
 of Religion. If we believe an accused Person to be
 guilty, because he is a *Papist* or a *Jesuit*, or if for
 the very same Reason we believe him innocent, all
 farther Examination is needless. The prejudiced Per-
 son always finds Reason and Justice in one or other of
 these two Opinions, he is therefore, if it be possible,
 to strip himself of his Prejudices.

2. The condemned *Jesuits* were accused of three
 Things, of a Design to kill the King, to subvert
 the Government, to root out the *Protestant* Religi-
 on. Nevertheless the greatest Part of the Evidence
 against them went only upon the first of these three
 Articles, the two others being taken for granted.
 It is nevertheless upon the Supposition of the other
 two that the Article of the Design to kill the King
 is supported, because it is pretended, that the Aim
 of the Conspirators was to place the Duke of *York*
 upon the Throne, as more proper to advance their
 Designs than the King his Brother. But this Pre-
 tension is by no Means proved, and we see nothing
 in the Evidences that shows, that this was their In-
 tent.

3. But on the other Hand, it cannot but be al-
 lowed that throughout this whole Reign, there was
 a set-

a settled Design to render the King absolute, and introduce the *Papish* Religion. This is the Meaning of these Expressions, *To subvert the Government, and to destroy the Protestant Religion.* This being supposed, it is not against Probability to imagine that the *Papists* and *Jesuits* might believe that their Project would be sooner executed if the King was removed, and the Duke of *York* placed upon the Throne.

4. It is upon this Probability, that the *Jesuits* have been accused of the Design to kill the King. It has been supposed, that being acquainted with the general Design, or the Plot, they believed the King's Death a proper Means to hasten the Execution, and here the Witnesses were very positive.

5. The Defences of the Prisoners consisted chiefly, 1. In *Asseverations* and *Protestations* of their Innocence. 2. In the Depositions of the Witnesses from *St. Omer's*, and the County of *Stafford*, who proved that *Oates* was not in *London* the 24th of *April* 1678. 3. In the Improbabilities of the Evidence given by *Oates* and *Bedloe*. Upon these three Heads I propose to make some Reflections.

1. The *Protestations* and *Asseverations* of the accused Persons during their Tryal ought to go for nothing; but when they are carried so far, as to the very Point of Death, they ought to have some Regard paid them. If they form not a positive Proof, they at least make a Presumption, because *Papists* are not less convinced than *Protestants*, that Lying is not the way to escape the just Judgement of God, before whom they are shortly to appear; and that besides these *Protestations* never prevail for a Reversal of the Sentence. I am aware that the *Jesuits* are accused of approving *Equivocations* and *Mental Reservations*. But, without examining how far this Charge may be proved, it is certain, that Father *Whitebread*, upon the very Ladder, testified an Abhorrence of this Doctrine, and renounced all manner of *Pardons* and *Dispensations* from the *Pope*, or

1679. any other Power for swearing or speaking against the Truth *. It is not then impossible but that the *Jesuits*, however Innocent, would have been condemned upon false Evidence, without supposing any Passion or Prejudice in Judges or Jury. Accordingly, this is what a great many pretend : But there are others who push the Matter further, and maintain that the accused Persons might have been acquitted, if Passion and Prejudice, both in Judges and Jury, had not prevented. This we shall examine in the next Article.

2. I have in another Place spoke of a Defence founded upon the Proof of the *Alibi*, which lays the Judge under a Necessity of distributing Justice at a Venture, since there being a direct Contrariety between the Evidences, the Judges cannot be satisfied on which side the Truth lies. *Oates* deposed, That he had assisted at the Grand Consultation held in *London* April 1678. He produced seven Witnesses who affirmed, that they saw him in *London* at that Time. The *Jesuits* on their Side produced Sixteen Witnesses from *St. Omer's*, who affirmed that *Oates* was at *St. Omer's* at the same Time. Either therefore the Evidence given for *Oates*, or for the *Jesuits* must be false. Now, that which probably determined the *Jury* to bring the *Jesuits* in guilty was : First, The Prisoners objected only a bare Denial against the Testimonies of *Prance*, *Dugdale*, and *Bedloe*, which could not but breed a disadvantageous Prejudice

* *Rapin* seems not to have taken notice of a Passage in *Burnet* on this Occasion. One *Serjeant*, a secular Priest, a zealous *Papist* in his Way, some Months after these Executions, appeared before the Council upon Security given him, and averred that *Gawen* the *Jesuit*, who died protesting he had never thought it lawful to murder Kings, but had always detested it ; had at his last being in *Flanders* said to a very devout Person, from whom *Serjeant* had it, that he thought the Queen might lawfully take away the King's Life for the Injuries he had done her, but much more because he was a *Heresick*. Upon that *Serjeant* ran out into many Particulars to shew how little Credit was due to the Protections made by the *Jesuits*, even at their Death, p. 466.

Prejudice against them. Secondly, The Witnesses from St. Omer's were all Scholars, or Persons depending upon the *Jesuits* College, this was another Consideration capable to pre-possess the *Jury*. Lastly, The Point in Hand was to examine into a Plot contrived by *Papists*, as such, and in favour of their Religion, and not as private Persons incited by other Motives and Passions. In this Case it is not very strange that the Evidence given by *Papists* was suspected. For it is certain, that at that Time, the Opinion supported by the Votes of both Houses of Parliament, that there was a real Plot to subvert the *Protestant* Religion, was generally embraced throughout the whole Kingdom.

As to the Majority of Sixteen Witnesses against Seven; this can occasion no Difficulty. For Seven Witnesses dispersed in *London*, who had only occasionally seen *Oates*, were as credible as the Sixteen shut up in one House at St. Omer's*. And though there should have been only two from St. Omer's, yet all other Circumstances being alike, they would have been as Credible as the Seven Witnesses in *London*.

3. I proceed now to the Improbabilities found in the Evidences of *Oates* and *Bedloe*. *First*, It is difficult to conceive the Necessity of bringing the Consultation upon the King's Death before an Assembly of Fifty *Jesuits*. *Secondly*, One may with some Reason suppose, that an Affair of such Importance as the Assassination of a King, passes through the Hands of those only who are most distinguished in the *Society*, either by their Posts or Capacity. But it is by no Means credible that Fifty such could be found in *England* or at St. Omer's. *Thirdly*, I know not that any Person, to this Day, has positively assured us that *Oates* was a Member of the Society of *Jesuits*. Nevertheless he not only appears in the Grand Consult of the 24th of *April*, but he has an Employ in it of great Trust and Importance, which was the carrying

* See Note above concerning the Dominican Friar.

1679.

to seek for an extraordinary out-of-the-way Cause, when one so naturally offers in the whole Conduct of the King, who hitherto had made it clear that his Interests, and those of his People were entirely different ?

Sir George
Wakeman
and others
tried,

The 18th of June, Sir George *Wakeman* the Queen's Physician was brought to his Tryal, together with *James Parker*, *William Marshal*, two *Benedictine Monks*, and *William Rumney*, a Lay-Brother of that Order. *Oates* and *Bedloe* were the Witnesses against them : But besides that their Depositions were imperfect, and the greatest Part upon *Hearsay*, which could be no otherwise offered to favour their being in the Plot, than upon the Supposition of the Design to kill the King, which was yet destitute of sufficient Proof ; the Jury doubtless considered that a Person of Sir George *Wakeman's* Sense, would never trust a Secret of such Importance to *Bedloe*, of whom he had almost no Knowledge. Nay, he swore, *That he never saw Bedloe before in his Life.* However this be, the Prisoners were acquitted ; which was a great Mortification to the two Witnesses, since this Tryal opened Men's Eyes, and let them see that *Oates* and *Bedloe* were Evidences capable of swearing to Things of which they had no perfect Knowledge *.

and ac-
quitted.

The King's
Sickness.

About the End of *August*, the King being at *Windsor*, had three violent Fits of an intermitting Fever, which put his Life in Danger. The Earl of *Essex* and the Lord *Hallifax*, two of the four Counsellors which then managed the King's Affairs, fearing that if the King died, they should fall into the Hands of the Duke of *Monmouth*, and the Earl of *Sbassbury*,

* The Lord Chief Justice *Scroggs*, who had been very violent against the Prisoners hitherto, was observed, far contrary to his former Practice, to turn against the Witnesses in this Tryal. The *Portugal* Ambassador went next Day with great State to thank *Scroggs* for his Behaviour in *Wakeman's* Tryal. By which the Chief Justice was exposed to much Censure. This was looked on, it seems, as the Queen's Tryal as well as *Wakeman's*. For *Oates* and *Bedloe* had both deposed, that he was to assist him in poisoning the King.

bury, and advised the King to send for the Duke of York, which he did with all possible Speed and Secrecy; for the Duke was at *Windsor* the 2d of September. But the King, being then out of Danger, pretended a Surprize at his Arrival. But this Dissimulation was not capable to deceive the Duke of Monmouth and the Earl of Shaftsbury. On the other Hand, the Earl of Essex and the Lord Hallifax, finding that they had made the Duke of Monmouth and the Earl of Shaftsbury their irreconcilable Enemies, joined with the Duke of York for their Destruction; they succeeded so well, that the King was prevailed with to remove the Duke of Monmouth from his Post of Captain-General, and to send him into *Holland*, to the great Surprize of the whole Court, for the Duke of Monmouth was in the Height of the King's Favour before the Duke of York's Arrival. Shortly after the Earl of Shaftsbury also was turned out from being President of the Council *. Thus the Court had a new Face, and the Duke of York was more powerful than ever. He made use of this happy Conjunction to obtain the King's Leave to retire to *Scotland*, representing to him the Danger of his being in the *Low-Countries*, in Case of his Majesty's Demise. Accordingly he returned with Speed to *Brussels*, to bring Home his Dutchess and the Princess Anne, and arriving shortly after at *London*, he set out from thence for *Scotland*. If Dr. Burnet's Testimony, in the History of his own Times be true, he governed *Scotland* in an arbitrary Manner, and gave manifest Tokens of his Cruelty, and inveterate Hatred against the *Presbyterians*.

The Duke of York returns.

The Duke of Monmouth and Shaftsbury in Disgrace.

The Duke of York goes for Scotland.

Every

* He had called a Council just before, while the King was at *New-market*, and represented to them the Danger the King was in, by the Duke's being so near him, and pressed the Council to represent this to the King; but they did not agree to it. And upon the King's coming to *London* he was removed. and Lord Roberts, then made Earl of Radnor, was made President. Burnet, pag. 477.

1679.
*The King,
 contrary
 to the Ad-
 vice of
 Council,
 prorogues
 the Par-
 liament.*

Every one expected with great Impatience the Result of these Alterations at Court, and it was not long before it appeared. The 15th of October the King summoning his Council, after a little Pause told them, *That upon many Considerations, which he could not at present acquaint them with, he found it necessary to make a longer Prorogation of the Parliament than he intended: That he had considered all the Consequences so far as to be absolutely resolved, and not to bear any Thing that should be said against it: That he would have the Meeting put off, till that Time Twelvemonth.* The Privy-Counsellors surprized at this Resolution, and still more so at the Manner of proposing it, were most of them silent. Some however offering to lay the dangerous Consequences of this Resolution before the King, were enjoined Silence. Sir William Temple however, more bold than the rest, stood up, and with great Freedom told his Majesty, “ *That as to*
 “ *the Resolution he had taken, he would say Nothing,*
 “ *because he was resolved to bear no Reasoning upon it;*
 “ *therefore he would only presume to offer him his hum-*
 “ *ble Advice as to the Course of his future Proceed-*
 “ *ings; which was, That his Majesty in his Affairs*
 “ *would please to make use of some Council or other,*
 “ *and allow Freedom to their Debates and Advices; af-*
 “ *ter bearing which, his Majesty might yet resolve as*
 “ *he pleased. That if he did not think the Persons or*
 “ *Number of this present Council suited with his Affairs,*
 “ *it was in his Power to dissolve them, and constitute*
 “ *another of any Number he pleased, and to alter them*
 “ *again when he would; But, to make Counsellors*
 “ *that should not Counsel, he doubted whether it was*
 “ *in his Majesty's Power or not, because it implied a*
 “ *Contradiction: And so far as he had observed, either*
 “ *of former Ages or the present, he questioned whether*
 “ *it was a Thing practised in England by his Mages-*
 “ *ty's Predecessors, or were so now by any of the pre-*
 “ *sent Princes in Christendom: Therefore he humbly ad-*
 “ *vised him to constitute some such Council, as he would*
 “ *think*

"think fit to make use of, in the Digestion of his great
"and publick Affairs". 1679.

This Manner of Proceeding caused a great many Privy-Counsellors to surrender their Commissions to the King, and others to absent themselves from the Council, as they did not think proper to support and incourage by their Presence, the secret and private Resolutions of the King, nor give Occasion to a Belief that they approved them. The Earl of *Essex* laid down his Place of first Commissioner of the Treasury. The Lord *Hallifax*, Sir *William Temple*, and some others, retired into the Country. Thus the Council which the King had appointed to blind the Eyes of the People, was almost broke, and the Direction of publick Affairs devolved upon the Earl of *Sunderland*, Mr. *Lawrence Hyde*, and Mr. *Sidney Godolphin*, or rather the Duke of *York*, whose Interests they had embraced; and who, though absent, directed their Resolutions.

In the Close of the Month of *October*, about a Fortnight after the Parliament had been prorogued, a sham Plot was discovered, contrived by the *Papists* to bring an *Odium* upon the *Presbyterians* and the Heads of the Country-Party. This Project had been laid about the Beginning of *August*, by the Countess of *Powis*; one *Cellier* a Midwife, the Earl of *Castlemain*, and the five Lords in the *Tower*. The Design was to trump up false Witnesses to accuse *Oates* of Perjury and Sodomy: To have the Earl of *S Shaftsbury* assassinated, and to charge the Duke of *Buckingham*, the Earl of *Essex*, the Duke of *Monmouth*, the Lord *Hallifax*, and several considerable Citizens of *London*, with being concerned in a Plot against the King. One *Dangerfield* was to be the principal Actor in this Farce. He received his Instructions from the Countess of *Powis*, the Lords in the *Tower*, and with them a List of the Persons whom he was to accuse. Moreover the Countess of *Powis* had put into his Hands a Model of the pretended

*Changes
in the
Council.*

*A plot
contrived.*

*Danger-
field the
chief Ac-
tor in it.*

1679.

pretended Plot, which he was to convey into the House of some one of the sham Conspirators, and there cause it to be found.

Dangerfield furnished with these Instructions and Papers, informed the Duke of York of the Matter upon his Arrival from *Brussels*. The Duke of York made him a Present of twenty Guineas, and introduced him to the King, who after he had heard him, made him a Present of forty more. Afterwards he made some Attempts to assassinate the Earl of *Shaftsbury*, but was always prevented by one Accident or other. At last on Pretence of viewing some Rooms, which he said he designed to hire, he went to Colonel *Mansel's* Lodgings, and found an Opportunity to pin some dangerous Papers behind his Bed's-head. This done he went to inform two Officers of the Custom-house, that there were in those Lodgings prohibited Goods to the Value of Two Thousand Pounds. The Officers repairing thither the 22d of *October*, searched every where in hopes of finding their Prey; but as they did not think to search behind the Bed, *Dangerfield* himself found the Papers. The Officers having carried the Papers to their Superiours, had Orders to return them to *Mansel*. Four or Five Days after the Colonel meeting *Dangerfield* in the Streets, carried him directly to *Whitehall*, and brought him before the King and Council. He was strictly examined, and after a full Hearing, his Contrivance being detected, was sent to *Newgate* the 27th of *October*.

Two Days after Sir *William Waller*, a Magistrate of *London*, searching *Cellier's* House, found the Model of the pretended Plot, writ very fair, and neatly made up into a Book tied with Ribbands, and hid in a *Meal-Tub*, which gave it the Name of the *Meal-Tub-Plot*. *Dangerfield* finding himself undone if he persisted in a Thing which he could not support, applied himself to the Lord-Mayor of *London*, and gave him in Writing a large Confession taken upon Oath, with a Discovery of the Persons who set him

It obtains
the Name
of the
Meal-
Tub Plot.
Danger-
field dis-
covers the
Fraud.

1679.

at Work. This Confession being sent to the Council, several Persons were taken up, and amongst the rest the Earl of *Castlemain*. The Countess of *Powis* accused by others, besides *Dangerfield*, of conspiring the Death of the King, was sent to the *Tower*, and ordered to be prosecuted for High-Treason. This Affair contributed not a little to the Resolution taken by the Earl of *Essex* and the Lord *Hallifax* to retire from Court, because they observed, that though they were set down in the Model to be sworn against, yet it was carefully kept from them, and the Matter examined in private.

The famous Philosopher *Thomas Hobbes* dyed this Year 91 Years of Age; his Writings are, unhappily, but too well known, to need any farther Notice here *.

The Death of Hobbes.

Affairs in the Beginning of the Year 1680 were in such a Situation, that the King had need of all his Patience and Address. There were visibly two Factions in the Kingdom, That of the Court, and That of the Country. To the Endeavours of the Court to gain Profelytes to their Party, the Coun-

1679-80.

Libels against the Court.

* To be a little more large upon the Character of this Philosopher——He was the Son of a Clergyman, born at *Malmesbury* in *Wiltshire*, and called from this Place of his Birth *Malmesburiansis*. He went out Batchelor of Arts at *Magdalen Hall* in *Oxford*, and from thence was taken very young into the Earl of *Devonshire's* Family. With the Son of that Nobleman he travelled into *France* and *Italy*, and made an Acquaintance with *Gassendus*, and some of the greatest Men of the Age. In his 63d Year he settled in *England* for the Remainder of his Days, and in the healthful Air of *Chatsworth*, in *Derbyshire*, held it out to the 91st Year of his Age. The King having learned Mathematicks of him Abroad, allowed him a Pension of 100 Pounds a Year. His Genius was vast and extensive. But notwithstanding his Pretences to Philosophy and the Mathematicks, young *Wallis* of *Oxford* convinced the World, that his Self-sufficiency was much greater than his real Abilities. He likewise aimed at a Reputation in Poetry, translated *Homer*, and writ some other little Things, which have only ranked him amongst our *Ogilby's* in this Part of Learning. He certainly writ *Latin* with great Purity, and his Version of *Thucydides* shews him a Master in his own Language. It is said that his Years improved his Fears of Death, and that he did not leave the World with the Decency and Resignation of a Philosopher.

1679-80. in general these sorts of Addresses are very little to be relied on, the greatest Part of the Subscribers being ready to sign the contrary if they think it for their private Advantage. They are nevertheless always magnified as a Proof of the People's being of this or that Sentiment, though after all it is a very uncertain Proof. At the Time I am speaking of, we have seen Petitions sent to the King, to pray him to hold the Parliament; but as soon as the Parliament was prorogued, the Duke of *York* at Court, a great Number of contrary Addresses were presented in Abhorrence of the former; so that two Parties were formed called the *Petitioners* and the *Abborrers*; and as the Animosity between the two Parties gradually increased, they bestowed upon each other Names of Reproach, and from hence came the so-much famed Distinction of *WHIG* and *TORY*. The *Petitioners* looking upon their Adversaries as Persons entirely devoted to the Court and the *Popish* Faction, gave them the Name of *Tories*, a Title given to the *Irish* Robbers, who were ready to act any daring or villainous Enterprize. These are the same that were since called *Rapparees*. The *Abborrers* on their Side considering the *Petitioners*, as Men entirely in the Principles of the Parliament of 1640, and *Presbyterians* in their Hearts, gave them the Name of *Whig* or *Sour-Milk*, formerly appropriated to the *Scotch Presbyterians* and *rigid Covenanters*. These Names have been transmitted, with the Factions to which they were applied, down to our Age.

Rise of
Whig and
Tory.

1680.
A Report
spread of
the Duke
of Mon-
mouth's
Legisla-
tion.

The *Whigs* were directed by the Earl of *Shaftsbury*, who looking upon the Duke of *York* not only as his own, but likewise as the mortal Enemy of his Party, was perswaded that either himself or the Duke must fall. And therefore he had made it his Endeavour to tutor up the Duke of *Monmouth*, and make him the Darling of the People, imagining that when he had the People on his Side, the supplanting the Duke of *York* would be no impossible Task.

Task. With this View it was, at least as it is said, that the Earl of *Shaftsbury* found Means to spread a Report that the King was lawfully married with Mrs. *Walters*, the Duke of *Monmouth's* Mother, and that the Marriage-Contract was in a *Black Box*, in the Custody of Sir *Gilbert Gerard*. The King and the Duke of *York* easily understood the Meaning of this Rumour, and therefore lost no Time to undeceive the People. To this End the King called an extraordinary Council the 26th of *April*, in which he declared, *That the said Report was altogether false; and that he thought himself obliged in Honour and Conscience to have the Matter thoroughly examined and searched into.* Gerard appearing before the Council, declared upon Oath, *That he never had any such Writing, as was reported, committed to his Charge, nor did he ever see or know of such Writing.* In short, after a great many fruitless Enquiries after the Author of this Report, the King was forced to content himself with publishing the 3d of *June* a Declaration, to confirm one made *January* the 6th, and another made *March* the 3d, which was entered in the Council Books, and signed by Sixteen Privy-Counsellors; in which he said, "That for the avoiding any Difficulties that might happen in Time to come, concerning the Succession of the Crown, he did declare in the Presence of Almighty God, that he never gave, nor made any Contract of Marriage, nor was married to Mrs. *Walters*, alias *Barlow*, the Duke of *Monmouth's* Mother, nor any other Woman whatsoever, but to his present Wife Queen *Katherine* then living."

This Summer were several Prosecutions and Tryals, and the 23d of *June* the Earl of *Castlemain*, a Papist and Husband to the Dutchess of *Cleveland* the King's Mistress, was brought to his Tryal and acquitted. *Cellier* the Midwife, who had assisted the Countess of *Powis* in the sham-Plot was likewise acquitted. Shortly after she published a Narrative of her Tryal, with severe Reflections upon some Persons,

1680.

then in Credit, for which she was tryed a second time, and sentenced to stand three times in the Pillory, and to pay a Fine of a Thousand Pounds. The Grand Jury found not the *Bill* against the Countess of Powis. Thus all the Persons concerned in the *Meal-Tub-Plot* were acquitted. The Torrent did not then run in Favour of the Party against the Court.

Bedloe
died.

Bedloe, the famous Evidence in the *Popish Plot*, dyed at *Bristol* the 20th of *August*. Three or four Days before his Death the Lord-Chief-Justice *North*, then in his Circuit, going to visit him, *Bedloe* in his Presence signed the following Deposition.

His Depo-
sition be-
fore the
Lord Chief
Justice
North, on
his Death-
Bed.

“ That the Duke of *York* hath been so far engaged
“ in the Plot, as he hath seen by Letters in *Cardi-*
“ *nal Barberini's* Secretary's Study, that no Part that
“ hath been proved against any Man already, that
“ hath suffered, but that to the full those Letters
“ have made him guilty of it; all but what tended
“ to the King's Death. And at *Rome* I asked Fa-
“ ther *Anderton* and Father *Lodge*, two Jesuits, What
“ would the Duke do with his Brother when he was
“ King? And they answered me, they would find a
“ Means for that; they would give him no Trouble a-
“ bout it. Then I told them, I believed the Duke
“ loved his Brother so well, he would suffer no Violence
“ to be done to him. They said, No: If the Duke
“ could be brought to that, as he had been religiously to
“ every Thing else, they might do their Work; their o-
“ ther Business was ready, and they might do it presently.
“ But they knew they could not bring him to that Point;
“ but they would take Care for that themselves, they
“ had not begun with him to leave him in such Scruples
“ as that. But they would set him into his Throne;
“ and there he should reign blindfold three or four
“ Days; for they had settled some they should pitch the
“ Action upon, should clear their Party. And then he
“ should fly upon them with the Sword of Revenge.”

And this Examinant did further add, “ That the
“ Queen is not, to this Examinant's Knowledge, nor
“ any Thing that he could ever find out, any Ways
“ concerned

" concerned in the Murder of the King ; but barely
 " by her Letters consenting and promising to con-
 " tribute what Money she could to the introducing
 " the *Catholick* Religion." Nay, it was a great
 while, and it made her weep, before she could be
 brought to that.

He declared to the Lord-Chief-Justice upon the
 Faith of a dying Man, *That whatsoever he had testi-*
fied concerning the Plot was true : And that he had
wronged no Man by his Testimony, but had testified ra-
ther under than over what was Truth ; and, That he
had other Things to discover, which were of great Impor-
tance to the King and the Country, with other Matters of
the like Nature. In Conclusion, his Lordship was desired
to represent to his Majesty his Condition, and that his Sick-
ness was very chargeable, and move his Majesty in his Be-
half for some Supply of Money for his Subsistence.

This Deposition deserves some Remarks. The first Remarks
upon this
Deposition.
 I shall make, is, that it comes from a dying Man,
 and who actually died three Days after. If the Pro-
 testations of those who had been condemned either for
 the Plot, or for the Murder of *Godfrey*, may form a
 Presumption in their Favour, I see no Reason why
 this of *Bedloe* should not do so too, unless the Point
 in Question is taken for granted, namely, that the
 condemned Persons were innocent, and *Bedloe* a
 Villain for swearing against them. 2. *Bedloe* distin-
 guishes perfectly the several Articles of the Plot, in
 that he accuses the Duke of *York* of being engaged in
 it, but acquits him from the Guilt of designing the
 King's Murder. Now the Plot, with Relation to the
 Government and Religion is so evident, and the Hand
 which the Duke of *York* had in it so clear from *Cole-*
man's Letters, that they perfectly tally with *Bedloe's*
 Deposition. Thirdly, it is really improbable that
 two Jesuits at *Rome*, the Directors of so important
 an Affair as this, should speak so plainly and openly
 to *Bedloe*. But on the other Hand, the Manner of
 the King's Death three or four Years after gives but
 too just Cause to suspect that there was foul Play,

and so one part of this Improbability vanishes. Lastly, *Bedloe* declared in his Deposition, *That whatever he had testified concerning the Plot was true*, and this last Deposition far from giving room to suspect any Falsehood in it, may rather incline us to believe that it was not a Story framed at Pleasure; since the Depo-
nent being so near his Death, he could have no Inducement to acquit the Duke of *York* upon one Article, and accuse him upon others, or even to trouble the Chief-Justice with any Deposition at all.

This Deposition a little perplexes a famous Historian *, who in this Part of his History undertakes to prove the Plot to have been all a Fiction. To free himself from this Difficulty, he makes no Scruple to oppose his own Authority to the Deposition of *Bedloe*.

“ We know not, says he, how to speak softly of the dying Words of one hardened by many Years Villainies; but must expressly declare, that as to his publick Oaths he did not only swear to the most shocking Improbabilities, but sometimes changed, and other Times contradicted his own Evidence.” After this Authority no Body, doubtless, will regard this last Deposition of *Bedloe*, otherwise than as a Continuation of the Crimes which he had been guilty of, by falsely swearing that there was a Plot, when in Reality there was none.

Two Presbyterian
Sheriffs
elected.

The City of *London* was then in the Country-Party, and gave it great Reputation. The Choice on *Midsummer-Day* for Sheriffs fell upon two famous *Presbyterians*, by a Majority of Voices; both accounted *Phanaticks* by the contrary Party. These were *Bethel* and *Cornish*, both Aldermen, who took Care to qualify themselves by receiving the Sacrament in the Church of *England*; abjuring the *Covenant*, and doing every Thing as appointed by Act of Parliament. While this Election was depending, it was pretended that *Bethel's* Party had committed some Violence

Violence against the other, which obliged the King to order a Commission of Oyer and Terminer to be issued out for the Tryal of the Riot. Mean while, the two Sheriffs, contrary to the King, being chosen, *Thomas Papillion* Esq; presented an Address to the Lord-Mayor in the Name of the City, wherein, after disowning all tumultuous and disorderly Proceedings, and testifying an inviolable Fidelity to the King, they desired his Lordship, *That he would, in their Names, humbly beseech his Majesty, that the Parliament might speedily assemble.* Whether the Address produced any Effect, or the King had already taken his Resolution, a few Days after it was made known by a Publick Proclamation, that the Parliament should sit and do Business on the 21st of October.

The Lord-Mayor addressed to petition the King for the sitting of the Parliament.

While the Meeting of the Parliament was yet remote, and uncertain, the Court-Party had some Advantage, but in Proportion as the Meeting drew nearer, the Country-Party gained Ground. The Duke of Monmouth was returned from Holland without leave, and instead of going to Court, he made several Progresses in the Kingdom to encourage his Friends, and increase their Number. The Men of this Party were resolved to run all Hazards, and either ruin themselves or the Duke of York, the next Session of Parliament. With this View, the Earl of Shaftsbury attended by a dozen Lords and Gentlemen of Note, went publickly to Westminster-Hall, and at the King's Bench-Bar, by a Bill in Form, presented the Duke of York as a *Popish Recusant* *. The Thing was but too true, and the whole Kingdom was sensible of it. But till this Time no Person had the Boldness to take such a Step, which was regarded

The Duke of Monmouth returns, and takes no notice of the Court.

The Duke of York presented as a Papist.

* They that attested the Bill were the Earls of Huntington and Shaftsbury; the Lords Grey of Werk, Brandon Gerard, Russel and Cavendish; Sir Gilbert Gerard, Sir Edward Hungerford, Sir Scroop How, Sir William Cooper, Sir Thomas Wharton, John Trenchard, Thomas Thynne, and William Forrester, Esquires. By the sudden Dismission of the Grand Jury, the Matter had no Consequence in the Forms of the Court.

1680.

The Commons resume the Examination of the Plot.

The King's Disimulation.

The Commons resume the Exclusion-Bill.

Upon a Report made to the House that Doctor Tongue, who had first discovered the Plot to the King, had received no Gratuity, he was now recommended to his Majesty for the first good Ecclesiastical Preferment that fell in his Gift. But the Doctor was disappointed of the Benefit of this Recommendation, by leaving the World not long after. The King on this Occasion discovered no less Zeal than the Commons, and issued out a Proclamation, with a Promise of his Pardon to any Person who should, within two Months next ensuing, give farther Information and Evidence concerning the horrid and execrable *Popish Plot*.

But this Disimulation was not capable to divert the Commons from their grand Purpose. Five Days after the opening of the Parliament, the 26th of October, the Lord Russell moved, *That they might in the first Place take into Consideration how to suppress Popery, and prevent a Popish Successor.* He was seconded by Sir Henry Capel, Brother to the Earl of Essex, who in a long Speech summed up all that had been done to the Prejudice of the Kingdom during the present Reign. He ascribed the whole to *Popish Counsels*. He spoke of the first *Dutch War*; of the Division of the Fleet; of the Affair of *Chatham*; of the Fire of *London*; of the Discharge of the Prisoners concerned in that wicked Act without any Tryal; of the Violation of the *Triple League*; of the seizing the *Dutch Smyrna Fleet* before War was proclaimed; of the second *Dutch War*; of the Permission to the *Irish Papists* to wear Arms; of the Alteration of the Government of *Scotland*, by lodging it in a Commissioner and a Council, besides an Army of Twenty Thousand Men. He said that the *Papists* were emboldened to act any Thing by the hopes of having the Duke of York for King: That they were moreover encouraged by the *French Ambassador*, who by his Frequency at Court, seemed to be rather one of the Family, and of the King's Household, than a foreign Ambassador; and by his free Recourse to his Majesty, rather a Prime Minister of State of this Kingdom,

Kingdom, than a Counsellor of another Prince: That since all these Irregularities and Enormities proceeded from the *Popish* Party, supported by the Duke of *York*, it was high Time to think of some effectual Expedient to prevent *Popery* and a *Popish* Successor.

Several other Members spoke to the same Effect, some more, some less; and no Body vindicated the Duke, or spoke in his Behalf, till the House came to the two following Resolves upon the 2d of *November*.

- “ 1. That the Duke of *York's* being a *Papist*, and
 “ the Hopes of his coming such to the Crown, hath
 “ given the greatest Countenance and Encourage-
 “ ment to the present Designs and Conspiracies a-
 “ gainst the King and the *Protestant* Religion.
 “ 2. That in Defence of the King's Person and
 “ Government, and *Protestant* Religion, this House
 “ doth declare, that they will stand by his Majesty
 “ with their Lives and Fortunes; and that if his Ma-
 “ jesty should come to any violent Death, which
 “ God forbid, they will revenge it to the utmost of
 “ their Power on the *Papists*.”

These two Votes having passed the House, the
 Lord *Ruffel* moved for a Committee to bring in a
 Bill to disable the Duke of *York* from inheriting the
 Crown. This Affair was now debated with great
 Spirit in several Eloquent Speeches on both Sides the
 Question. The Substance of what was urged for the
 Bill was, that all the Evils which the Kingdom
 had felt, and still laboured under, proceeded from
Popish Counsels, begun and abetted by the Duke of
York. That the Danger must be extreme should he
 ever enjoy the Crown. That it might be read in
 Scripture, *That one Man ought to dye for a Nation,*
but not that three Nations should dye for one Man. The
 Enemies to the Bill never troubled themselves to
 prove that there was no Danger in a *Popish* King.
 This they were willing to suppose, but pretended
 that

1680.

that there were other Expedients to prevent the Danger than that of Exclusion. That besides it could not be expected that the Duke of York, and many more would submit to this Law, the Consequence whereof would be a Civil War, in which the Duke of York would be supported by all the Princes of Europe.

To this Objection it was answered, that no Expedient could be thought of to secure the *Protestant* Religion under a *Popish* Prince, who would have a *Popish* Council, *Popish* Judges, *Popish* Magistrates, and Deputy-Lieutenants, *Popish* Commanders at Sea and Land, nay, and *Popish* Bishops too. That the Excluding the Duke from the Succession, was no depriving him of his Right to the Crown, of which he had rendered himself incapable, by embracing a Religion contrary to that of the Kingdom. For a *Popish* King, and *Protestant* Subjects were irreconcilable.

Others to this replied, that there was no Law which, for a Difference of Opinion in Religion, deprived any Man of his Right.

In Conclusion, it was resolved, *That a Bill be brought in to disable the Duke of York to inherit the Imperial Crown of this Realm.*

*The Ex-
clusion-
Bill read.*

Hitherto the Court-Party had only skirmished in hopes that an Engagement might be avoided. But when this Vote had passed, and the *Bill* was read the first Time, Sir *Leoline Jenkins* Secretary of State, stood up and argued directly against it, by alledging :

*Secretary
Jenkins
supports
the Inter-
ests of the
Duke of
York.*

“ 1. That it was contrary to natural Justice, to proceed to Condemnation before Conviction, or the Hearing of the Party.

“ 2. It was contrary to the Principles of our Religion, to dispossess a Man of his Right, because he differs in Point of Faith.

“ 3. He was of Opinion, that the Kings of *England* had their Right from God alone, and that no Power upon Earth could deprive them of it.

“ 4. It

“ 4. It was against the Oath of *Allegiance*, taken in its own Sense, without *Jesuitical* Evasions; which binding all Persons to the King, his Heirs, and Successors, the Duke as Presumptive Heir must be understood.”

The Advocates for the *Bill* answered to the first *His Reasons answered.* Objection; That not only the Duke of *York's* Interests were at Stake, but those of the whole Kingdom; and that if the Duke of *York* had withdrawn just as the Parliament was going to meet, his Absence ought not to prevent their providing for the Good of the Kingdom. To the second Objection it was answered, That the Principle, That Difference of Opinion in Religion ought to be no Reason for dispossessing any Person of his Right, struck at all the *Acts* of Parliament made since the Reformation against *Papists* and *Seſtaries*, who, as Subjects, had Rights in common with the rest, of which nevertheless it was thought Expedient to deprive them, on account of the Dangers to which the Kingdom would be exposed if they were continued in the Enjoyment of them. That this was a Maxim generally received in all States, *Protestant* or *Papist*. That it was very true, that the Subjects of a different Religion might be injured by being deprived of their Rights; but that this Injury proceeded not from the Government's having no Right to use this Precaution, but from using it unseasonably and groundlessly, through Prejudice, Pride, Passion, Revenge, and Hatred. To the Third Objection it was answered, That allowing the Principle, That the Kings of *England* had their Right from God alone, it should at least have been specified wherein consisted this Right, and that it could never be proved that the Kings of *England* had Power to alter the Constitution, or introduce a new Religion at their Pleasure. But if by this Right was understood only that of Succession, the Principle was false, as might be proved by Numbers of Instances in the *English* Succession; for all the Kings

Kings and Queens since *Henry VII* mounted the Throne purely by a Parliamentary Right, which by an Act had settled the Succession upon the Posterity of that Prince, and had since confirmed that Act by others. It was replied to the Fourth Objection, That the Oath of Allegiance which bound the Subject with Regard to the King's Heirs and Successors, was to be understood as only binding when those Heirs and Successors were upon the Throne, and not while they were yet Subjects. The supposing the Oath to be meant by an Engagement to acknowledge for King the next immediate Heir, it certainly became void if that Heir rendered himself incapable of succeeding by his ill Conduct. That the Laws which imposed Oaths had always in view a certain Constitution of Government, which they supposed settled and unalterable, because they could not foresee every thing that might possibly happen. That it could not be denied that there might be Cases in which these Oaths would become entirely null; as, for Example, if the Presumptive Heir should declare openly against the Constitution of the State, and make it publicly known that he would attempt a Change of it when he came to reign. But if in this Case it should be pretended that the Subject was bound by his Oath of Allegiance implicitly to this Successor, the plain Meaning of the Oath would be, that the Subject engaged himself to take upon his Neck the Yoke of Servitude whenever the Prince should think fit to lay it on, which was absurd. In fine, that the Parliament was the sole Judge in such Cases as this.

Several
other Reasons
alleged for
the Bill.

But the Advocates for the *Bill* not contented with replying to *Jenkins's* Objections, added likewise other Reasons to demonstrate the *Legality*, the *Expedience*, the *Necessity* of the Exclusion of the Duke of *York*. They proved the first Point by Precedents taken from the History of *England*, which made it clear that on several Occasions the Parliament had undoubtedly disposed of the Crown in a different manner from the usual Custom. *Edward III* had been
acknow-

acknowledged King during the Life of his Father, and *Henry IV* while *Richard II* was still living. The Parliament had moreover put *Henry IV* in Possession of the Crown, and settled the Succession in his Posterity, contrary to the known and natural Right of the Earl of *March*, who was next Heir to *Richard II*. Afterwards they settled the Crown upon the Duke of *York* and his Posterity after the Demise of *Henry VI*, though the said *Henry* had a legitimate Son then living. After the House of *York* had enjoyed the Crown for Three successive Reigns, though that House had a numerous Issue, yet the Parliament transferred the Crown to *Henry VII* and his Posterity. They gave a Power to *Henry VIII* to name his Successors, and settle the Succession as he should think proper. Lastly, on the Accession of *James I.* to the Crown, though no Act was demanded by him to confirm his Right, the Parliament notwithstanding made one, in order not to lose their own. As to the Objection which might be raised that these Princes were in actual Possession of the Crown when these Acts were made, it ought to be observed that though they had the Power in their Hands, and were in Possession, yet they thought fit to demand the Parliament's Confirmation, as a thing absolutely necessary to justify their Right. In fine, It was impossible for a Parliament, considered as composed of *King*, *Lords*, and *Commons*, to act any thing contrary to the Laws, since their Power of repealing *old* and enacting *new* Laws was never disputed. That the supreme and absolute Authority resided in the Parliament composed of *King*, *Lords*, and *Commons*. For what else is a Parliament but a Body consisting of all the Members of the State, to which no Power on Earth hath a Right to prescribe? To say therefore that a Parliament can act unjustly and against the Laws, is to say that all the Members of the same Body may act unjustly against themselves, and be responsible for this Injustice, which is an Absurdity too great to be defended.

As to the Fitness and Benefit of this Bill, it was not necessary to use many Arguments to prove that it was expedient and fit that the Government and Religion should be secured, and the People delivered from Fears and Suspicions. It could not even be denied that the Exclusion of the Duke of *York* would not be attended with these Advantages. But as it could not be supposed that the Duke of *York* and his Adherents would submit to this *Bill*, which might occasion a Civil War, wherein the Duke might be supported by foreign Aid: To this it was answered, that it was more eligible to run the Hazard of such a War, than to see the Kingdom exposed to a more evident Danger, even that of having its Laws and Religion invaded by a *Popish* Prince.

But it was principally to prove the Necessity of the *Exclusion-Bill* that the Advocates for it displayed all their Wit and Eloquence. They maintained that all Precautions to limit the Power of a *Popish* Prince would be insignificant, because no Promises or Oaths could be relied on, from which the Pope, on account of Religion, could absolve him. That before the Reformation, the Reign of *Henry VII* furnished very remarkable Instances of this, and it was not known that Popes since the Reformation had relinquished their Principles. That besides the Duke of *York's* Zeal for his Religion was no secret no more than his Principles as to Government, since the Letters of his Secretary, and his intimate Union with *France*, made it clear that he was not only disposed to undertake every thing to support the Interests of his Religion, but had on that account engaged in Measures very prejudicial to the State. That it was to *Popish* Counsels, and to the Duke in particular, that the two *Dutch* Wars, so contrary to the Interests of *England*, ought to be ascribed. That to him were owing the Non-Execution of the Laws made against *Popish Recusants*, the pernicious Designs of the *Cabal*, and that *Coleman's* Letters made it as clear as the Light, that he was the Contriver of the frequent
Adjourn-

Adjournments and Prorogations of the Parliament, at the very time that they were employed in finding out Expedients to save *Europe* and the *Protestant Religion* from certain Ruin. Other Arguments were likewise produced to prove that all Precautions which could be taken would be to no purpose, when the Duke was once on the Throne. First, it was said that his Union with *France* would supply him with Money without his being obliged to ask it of the Parliament. That by this means he might keep what Forces on Foot he pleased, and that such an Army would render him Master of the Kingdom, and leave him free to perform or not perform the Conditions which had raised him to the Throne. That such an Army would make him Master of the *Elections*, and put it in his Power to have such Members returned as would undo every thing that had been done. That there was too much Reason to believe that the late Army had been raised with this Design, since being certain that it was not intended against *France*, it could only be designed against the Subjects. Nay, that it was somewhat likely that this was the Intent of the Expedient proposed, that when the King should happen to die, the Parliament then in Being, or the Last that was in Being before that time, should assemble and sit a *competent Time*, without any new Summons or Elections, so that after the Expiration of this *competent Time*, the Kingdom would fall into the Inconvenience just now mentioned. That if it was considered what had passed since the King's *Restoration*, it would be found that nothing had been done with relation to the Government which did not tend to subvert it and introduce *Popery*. That the Duke of *York's* Influence in the Counsels of the King was well known: That though he was absent, his Adherents and Creatures enjoyed the principal Places in the Court and Kingdom, and that from him proceeded all the Evils with which *England* was afflicted, and all the Dangers the Nation had to fear. That if after so manifest a Discovery of his Designs; after

1686.

the last Testimony of *Bedloe* on his Death-bed ; after all the Evidence of an execrable Plot carrying on against the State and Religion ; Men were still willing to rely on the Duke's Sincerity and flattering Promises, they would have too much Cause to repent when it would be too late. From these Reasons and many others, it was inferred that the *Exclusion-Bill* was absolutely necessary, and that the People justly expected from their Representatives this extraordinary Precaution to deliver them from their Apprehensions and Fears.

Reasons
alleged
against the
Bill.

The Court-Party were under great Perplexity. Such Facts had been alledged against the Duke as admitted of no Answer, and there were others which they durst not directly charge with Falsity, for fear of bringing more Disputes upon their Hands, at a Time when the Torrent ran high against the Duke. A very small Number only ventured to appear openly for him. Amongst these were Sir *Leoline Jenkins* Secretary of State, Mr. *Hyde* a Privy-Counsellor, and one of the Three who had then the Management of the Duke's Affairs, Mr. *Seymour*, and one more. Sir *Leoline Jenkins* desired the House to consider, That the Duke of *York* was the King's Brother, and Son of *Charles I.*, whose Memory was so dear to *England* : That the Duke was adorned with many Virtues and excellent Qualities : That he had commanded their Navies, fought their Battles, and defended them from the Opposition of their Enemies : That he was only guilty of this one Crime, which he hoped, upon a mature Deliberation, would not deserve so great a Condemnation. He put them in mind that there were Laws already for the Punishment of the Crimes he was accused of, and therefore humbly conceived they ought not to chastise him, by making a new Law before any Hearing. Mr. *Hyde* added — “ I do not know
“ that any of the King's Murderers were condemned
“ without being heard ; and must we thus deal
“ with the Brother of our King ? It would consist
“ much

“ much better with the Justice of the House, to im-
 “ peach him and try him in a formal Way, and then
 “ cut off his Head if he deserves it. I will not,
 “ *continued he*, dispute the Power of Parliaments ;
 “ but I question whether this Law, if made, would
 “ be good in itself ——— for ought I know, when
 “ you have made this Law, it may have a Flaw in
 “ it ; if not, I am confident there are a Loyal Party
 “ which will never obey, but will think themselves
 “ bound by their Oath of Allegiance and Duty to
 “ pay Obedience to the Duke, if ever he should
 “ come to be King, which must occasion a Civil
 “ War”.

In the Course of the Debates on this *Bill*, Sir *Wil-*
liam Jones alledged, “ That an Act of the Thir-
 “ teenth of *Elizabeth* made it Treason for any Man
 “ to say that the Parliament could not alter the Suc-
 “ cession”. To which Mr. *Finch* replied — “ I
 “ will not say that Acts of Parliament cannot dispose of
 “ the Succession, because it was made Treason by the Sta-
 “ tute in the 13th of *Elizabeth*. But I will deny that
 “ the Kings of England rule by virtue of any Statute
 “ Law, as was suggested ; for that Right is by so an-
 “ tient a Prescription, as that it may justly be said to be
 “ from God alone, and that no Power on Earth ought to
 “ dispute it” ?

Though this Question was only accidentally started
 and carried no farther, yet I thought it not conven-
 nient to let it pass without some notice, because it
 serves to discover the two Opinions of the *English*,
 concerning the Right of Succession. Some believe
 that in an extraordinary Case the Parliament has
 Power to dispose of the Succession, because the Par-
 liament is supposed to include the whole Nation from
 the King to the meanest of his Subjects ; and that it
 is absurd to doubt the Power of the whole Nation
 thus represented to order what is for their Well-be-
 ing. Others maintain, that the Right of Succession
 is unalienable, and that neither the Nation in a Body,
 nor their Representatives in Parliament, have a
 Power

Diff. rent
Opinions of
the Power
which the
Parlia-
ment has
in relation
to the Suc-
cession of
the Crown

1680.

Power to meddle with or alter it in any Respect whatever: That this would be establishing Injustice by a Law, which the Parties concerned would not be obliged to obey: That such Changes were never made without being attended with Troubles and Civil Wars in the Kingdom; because as it is not in the Power of the King to deprive the Nation or the Parliament of their Rights, so neither is it in the Power of the Parliament to deprive the next Heir of his Succession to which he is intitled by Nature and Birth-Right. This Question was never yet decided, but each Party maintain their Opinion, and determine according to the Strength of their Reasonings. In all appearance this Dispute will be long continued.

The Commons pass
the Exclusion
Bill.

At last, after several Days Debates, the *Exclusion-Bill* passed the House by a great Majority. This Bill was in all respects like that which had been brought in during the last Parliament; only with this additional Clause, "That during the Life of James Duke of York the Act should be given in charge at every Assizes and General-Sessions, and read openly in every Cathedral, Parish-Church, and Chapel, twice every Year immediately after Divine Service, that is to say, on the 25th of December, and upon Easter-Day".

A Message
from the
King.

Whilst the Commons were busy about this Bill, the King endeavoured to interrupt their Debates by two Messages. By the first he desired them to go speedily through with the Affair of the Plot, and the Tryal of the Lords Prisoners in the Tower. He assured them moreover that he was ready to concur with them in any Expedients which should be offered to secure their Religion, provided they be such as might consist with preserving the Succession of the Crown in the legal Course of Descent.

An Address
from
the Commons.

Upon this Message an Address was presented to the King by the House, in which they said, "That though the Time of their Sitting had not much exceeded a Fortnight, yet they had in that time not only made a considerable Progress in some Things

" also

1689.

“ absolutely necessary for the Safety of his Majesty’s
 “ Person the effectual Suppression of *Popery*, and
 “ the Security of the Religion, Lives and Estates of
 “ his Majesty’s *Protestant* Subjects; but even in Re-
 “ lation to the Tryal of the Five Lords impeached
 “ in Parliament— But they could not (without being
 “ unfaithful to his Majesty and their Country) omit
 “ humbly to inform his Majesty that their Difficul-
 “ ties, even as to those Tryals, were much increased
 “ by the evil and destructive Counsels of those Per-
 “ sons who advised his Majesty first to the Proroga-
 “ tion, and then to the Dissolution of the last Parlia-
 “ ment, at a Time when the *Commons* were prepa-
 “ red for those Tryals; as likewise by the many
 “ and long Prorogations of the present Parliament,
 “ before the same was permitted to sit. That a
 “ principal Evidence was unfortunately dead, be-
 “ tween the Calling and the Sitting of the Parlia-
 “ ment. That others had been taken off, or dis-
 “ couraged from giving their Evidence. To pre-
 “ vent the like Inconveniencies for the future, they
 “ made it their humble Request to his Majesty, that
 “ he would not suffer himself to be prevailed on by
 “ the like Counsels to do any Thing which might
 “ occasion either the deferring a full Discovery of the
 “ Plot, or the preventing the Conspirators from
 “ being brought to speedy and exemplary Justice
 “ and Punishment ”.

The King’s other Message related to *Tangier*, to
 recommend to the *Commons* the Preservation of that
 Place: But the House not being in a Humour to
 content the King, instead of offering him any Mo-
 ney for the Relief of *Tangier*, then besieged by the
 King of *Morocco*, took occasion from his Message to
 rip up some of the Court’s Proceedings in this
 Reign. Some of the Members said, “ That they
 “ were indeed afraid of *Tangier*, but more afraid of
 “ a *Popish* Successor — they were unwilling to give
 “ any Money, because they remembered when above a
 “ Million was given for the building of Ships, and

*The King’s
 Message to
 the House
 in relation
 to Tan-
 gier.*

1680.

“ not one Shipt built ; and above two Millions given
 “ to support the *Triple-League*, which was presently
 “ employed for the breaking of it ; and above a
 “ Million given for a War with *France*, when at the
 “ same Time we were under private Obligations for
 “ Peace”. These were Facts to which the Friends
 of the Court had nothing to reply, so undeniable
 were they known to be. They contented themselves
 therefore with demonstrating the Usefulness of *Tan-*
gier to the *Levant* Trade, and representing that the
 two Millions laid out on the *Mole* would be entirely
 lost. In short, as the *Commons* had always in their
 Minds the *Exclusion-Bill*, they took occasion from
 this Message of the King’s, to lay before him a long
 Address, or rather *Remonstrance*, wherein they set
 forth, in Eighteen Articles, the Danger the King-
 dom was in on account of the flourishing State of
Popery. The Substance of these Eighteen Articles
 was as follows ;

‘ 1. That *Tangier* had been several Times under
 ‘ the Command of *Popish* Governours ; That the
 ‘ Supplies sent thither , had been in a great Part
 ‘ made up of *Popish* Officers and Soldiers , and
 ‘ that the *Irish Papists* had been most countenanced
 ‘ and encouraged.

‘ 2. That here at home the Endeavours and At-
 ‘ tempts of the *Popish* Party had been so bold and
 ‘ successful, that it was a Matter of Admiration to
 ‘ them, and which they could only ascribe to an o-
 ‘ ver-ruling Providence, that his Majesty’s Reign was
 ‘ still continued over them, and that they were yet as-
 ‘ sembled to consult the Means of their Preservation.

‘ 3. That this bloody and restless Party had found
 ‘ Countenance and Protection from the Laws made
 ‘ against them : That they had found Means to dis-
 ‘ grace their Opposers ; and if they were Judges,
 ‘ Justices of the Peace , or other Magistrates, to
 ‘ have them turned out of Commission : So that
 ‘ after some time, they became able to influence
 ‘ Matters

‘ Matters of State and Government ; and thereby to
 ‘ destroy those that they could not corrupt.

‘ 4. The Continuance and Prorogation of Parli-
 ‘ ments, had been accommodated to serve the Pur-
 ‘ poses of that Party.

‘ 5. Money raised upon the People to supply his
 ‘ Majesty's extraordinary Occasions, had, by the
 ‘ Prevalence of *Popish* Counsels, been employed to
 ‘ make War upon a *Protestant State*, and to ad-
 ‘ vance and augment the dreadful Power of the
 ‘ *French King*.

‘ 6. That great Numbers of his Majesty's Sub-
 ‘ jects were sent into, and continued in the Service
 ‘ of that King: And even the Ministers of *England*
 ‘ were made Instruments to press the *States of Holland*
 ‘ to accept of a Demand from the *French King*, of
 ‘ admitting the publick Exercise of the *Roman Ca-
 ‘ tholick Religion*.

‘ 7. That if ever any Command were given for
 ‘ those Laws to be put in Execution against *Papists*,
 ‘ even from thence they gained Advantage to their
 ‘ Party, while the Edge of those Laws was turned
 ‘ against *Protestant Dissenters*, and the *Papists* escaped
 ‘ in a manner untouched.

‘ 8. That the *Test-Act* had little Effect ; for the
 ‘ *Papists*, either by Dispensations obtained from
 ‘ *Rome*, submitted to those *Tests*, and held their Of-
 ‘ fices themselves ; or those put in their Places
 ‘ were so favourable to their Interests, that *Popery*
 ‘ itself had rather gained than lost Ground since that
 ‘ Act.

‘ 9. That a *Popish* Secretary, since executed for
 ‘ his Treasons, had maintained a Correspondence at
 ‘ *Rome*, and in the Courts of other foreign Princes,
 ‘ For the subduing (to use their own Words) that pe-
 ‘ sistent Heresy which had so long domineered over this
 ‘ northern World.

‘ 10. That out of these Councils and Correspon-
 ‘ dencies, was hatched that damnable and hellish Plot,
 ‘ by

1680.

‘ by the good Providence of God brought to Light
‘ about two Years since.

‘ 11. That when this accursed Conspiracy was
‘ first discovered, the *Papists* began to smother it,
‘ with the barbarous Murder of a Justice of the
‘ Peace, within one of his Majesty’s own Palaces.

‘ 12. That amidst these Distractions and Fears,
‘ *Popish* Officers for the Command of Forces were
‘ allowed upon the Musters, upon special Orders
‘ countersigned by a Secretary of State : And in like
‘ Manner, above Fifty new Commissions were grant-
‘ ed about the same Time to known *Papists*.

‘ 13. That when in the next Parliament, the
‘ House of *Commons* were prepared to bring to a
‘ legal Tryal the principal Conspirators in this Plot,
‘ that Parliament was first prorogued, and then dis-
‘ solved : And the Interval between the Calling and
‘ Sitting of this Parliament had been so long, that
‘ the *Papists* had gained Time and Advantage of co-
‘ vering their past Crimes, and practising them more
‘ effectually.

‘ 14. That Witnesses had been corrupted, not only
‘ by Promises of Reward, but of the Favour of his
‘ Majesty’s Brother.

‘ 15. That divers of the most considerable of his
‘ Majesty’s *Protestant* Subjects had Crimes of the
‘ highest Nature forged against them, the Charge
‘ to be supported by Subornation and Perjury, that
‘ they might be destroyed by Forms of Law and
‘ Justice.

‘ 16. That a Presentment being prepared for the
‘ Grand-Jury of *Middlesex*, against the Duke of York,
‘ the Grand-Jury were in an unprecedented and ille-
‘ gal Manner discharged ; and that with so much
‘ Haste and Fear, lest they should finish that Pre-
‘ sentment, that they were prevented from delivering
‘ many other Indictments by them at that Time
‘ found against other *Popish* Recusants.

‘ 17. That because a Pamphlet came out Week-
‘ ly, called *The weekly Packet of Advice from Rome*,
‘ exposing

‘ exposing *Poper*y, as ridiculous to the People, as it
 ‘ deserved, a new and arbitrary Rule of Court was
 ‘ made in the *King’s-Bench*, (rather like a *Star-Cham-*
 ‘ *ber* than a Court of Law) that the same should
 ‘ not for the future be printed by any Person what-
 ‘ soever.

‘ 18. That notwithstanding all the Proclamations
 ‘ for the banishing *Papists* from about this great Ci-
 ‘ ty, and Residence from his Majesty’s Court, and
 ‘ the Parliament: yet great Numbers of them, and
 ‘ that of the most dangerous Sort, did daily resort
 ‘ hither, and abide here.

‘ For all which Reasons, the *Commons* entreated
 ‘ his Majesty, that none but Persons of sincere Af-
 ‘ fections to the *Protestant* Religion, might be put
 ‘ into any Employment Civil or Military, that
 ‘ whilst they gave a Supply to *Tangier*, they might
 ‘ be assured they did not augment the Strength of
 ‘ their *Papist* Adversaries, nor increase their own
 ‘ Dangers. But that if his Majesty would vouch-
 ‘ safe to grant their Desires, they should not only be
 ‘ ready to assist him in Defence of *Tangier*, but do
 ‘ whatsoever else should be in their Power to enable
 ‘ him to protect the *Protestant* Religion and Interest
 ‘ at Home and Abroad’.

Two Days after this mortifying Address, that is to
 say, on the 15th of *November*, the *Exclusion-Bill* was
 sent up to the House of Lords. It passed only by
 two Voices upon the first Reading. But on the se-
 cond Reading it was thrown out by a Majority of
 Sixty-three against Thirty. Of Fourteen Bishops that
 Day in the House, Three only gave their Votes for,
 and Eleven against it *. The King was present at the
 whole Debate, which lasted till near Midnight.

It was a terrible Mortification to the *Commons*, to
 see their favourite *Bill* thus thrown out by the Lords.
 They grew so fullen, and out of Humour, that they
 fell

*The Lords
 threw out
 the Exclu-
 sion Bill,*

* *Burnet* says all the Bishops voted against the Bill, p. 482.

1680. fell upon several Members of their own House, expelling some, and impeaching and imprisoning others; as likewise upon some Persons not of their House, for being in the Number of the *Abhorrrers*, or for having advised and assisted in drawing up the Proclamation against Petitioning for the Sitting of the Parliament. But this served only to discover their Vexation at being disappointed of their Aim in the *Exclusion-Bill* *.

*Trial of
the Lord
Stafford.*

On the 30th of *November* a new Scene opened; namely, the Trial of *William Howard*, Lord Viscount *Stafford*, one of the Five *Popish* Lords in the *Tower*, who were accused of having been concerned in the Plot. He was tryed before the Lords in *Westminster-Hall*, the Lord Chancellor having upon that Occasion been appointed by the King, to perform the Office of *Higb-Steward*. "The Managers for
" the *Commons* began with the Plot in general, and
" laid open the Malice, Wickedness, and Horrour
" of so dreadful, bloody and hellish a Design: They
" strenuously insisted on the expresse positive Oaths
" of the Witnesses, upon whom the Credit of the
" Plot depended: They expatiated on *Coleman's* Letters and others, clearly proving the Designs and
" Activity

* The Gentlemen who spoke for the Exclusion were,

Lord <i>Ruffel</i> ,	Sir <i>Thomas Player</i> ,
Sir <i>Henry Capel</i> ,	Sir <i>William Jones</i> ,
Mr. <i>Harbord</i> ,	Mr. <i>Boscawen</i> ,
Colonel <i>Titus</i> ,	Mr. <i>Trenchard</i> ,
Mr. <i>Thomas Bennet</i> ,	Mr. <i>Montague</i> ,
Sir <i>Francis Winnington</i> ,	Colonel <i>Sidney</i> .

Against the Bill.

Sir <i>Lionel Jenkins</i> ,	Mr. <i>Daniel Finch</i> ,
Mr. <i>Laurence Hyde</i> ,	Mr. <i>Garraway</i> .
Mr. <i>Edward Seymour</i> ,	Sir <i>Richard Graham</i> .

In the House of Lords the Earls of *Essex* and *Shaftsbury* argued most for it: And the Earl of *Halifax* (who was for Limitations) was the Champion on the other Side. For which, when the Bill was thrown out, the *Commons* voted an Address to remove Lord *Halifax* from his Counsels and Presence for ever, pretending it was for his advising the Dissolution of the last Parliament. The King was present at the whole Debate in the House of Lords.

1680.
 " Activity of the Writers: They pressed home the
 " execrable Murder of Sir *Edmondbury Godfrey*,
 " charged upon the *Papists*, as well by the Oaths of
 " Self-acknowledged Partners in the Fact, as by a
 " Letter sent from *London* to *Tixall*, intimating this
 " very Murder, the third Day after it was committed:
 " They fully displayed the sham Plots, and coun-
 " ter Contrivances, whereby the *Papists* would have
 " suborned the King's Evidence, and turned all the
 " Guilt upon his Majesty's Loyal Subjects: They
 " urged the Firing the City, the Burning the Navy,
 " the Calling in *French* Armies, *Wild Irish*, *Spanish*
 " *Pilgrims*, &c. They recapitulated the several Try-
 " als of *Ireland*, *Whitebread*, *Langborn*, &c. and al-
 " ledged the Votes of both Houses of Parliament
 " declaring the Plot. To corroborate all which,
 " they repeated the Cruelties of Queen *Mary*, the
 " *French* and *Irish* Massacres, the Powder-Plot, &c.
 " And they anatomised the wicked Principles and
 " Practices of Murdering, Lying, Equivocating,
 " Forswearing, Faith-breaking, &c. imputed to the
 " *Papists*, as held by them lawful and meritorious.
 " In Conclusion, they produced Evidences to prove
 " the Plot in general". After these Preparations,
 three Witnesses, *Dugdale*, *Oates*, and *Turberville* de-
 posed against the Prisoner.

1. *Dugdale* swore, " That at a certain Meeting
 " held at *Tixall* in *Staffordshire*, about the End of
 " *August*, or Beginning of *September* 1678, the Lord
 " *Stafford*, with Lord *Aston* and others, did in the
 " Presence of the Witnesses give his full Consent to
 " take away the King's Life, and introduce the *Popish*
 " Religion. And that on the 20th or 21st of *Sep-*
 " *tember* in the Forenoon, the Lord *Stafford* sent for
 " the Witness to his Chamber, while he was Dref-
 " sing; and, turning his Servants out, offered him
 " Five Hundred Pounds for his Charges and En-
 " couragement, to take away the King's Life; and
 " further told him, *He should have free Pardon of all*
 " *his Sins, and be sainted; for the King had been ex-*
 " communicated,

1680.

“ communicated, and was likewise a Traytor and a Rebel, and an Enemy to Jesus Christ ”.

Oates swore, “ That in the Year 1678, both in Spain, and at St. Omer’s, he saw several Letters, signed *Stafford*, wherein his Lordship assured the Jesuits of his Fidelity and Zeal in promoting the Catholick Cause; That in 1678, being in *London*, his Lordship came to the Chamber of Father *Fenwick*, since executed; and there in his Presence received a Commission from him, to be Pay-Master-General to the Army: Whereupon his Lordship said, *He must of Necessity go down into the Country to take Account how Affairs stood there; and did not doubt, but at his Return, Grove should do the Business.* And, speaking of the King, he further added, *He hath deceived us a great while, and we can bear no longer* ”.

Turberville gave an Account of “ his disobliging his Friends, by leaving his Fryar’s Habit at *Doway*; and thereupon went into *France*, in the Year 1675, where at *Paris* getting Acquaintance with his Lordship, he proposed to the Witness a Way, both to retrieve his Credit with his Friends, and make himself happy, and this was by taking away the Life of the King of England, who was a Heretick, and a Rebel against God Almighty. That when he took Leave of him, his Lordship appointed to meet him at *London*; but he soon returned after into *France*, not being willing to undertake the Proposals, and was discountenanced by his Friends, and reduced to Poverty ”.

The accused Lord, in his Defence, alledged many Things to invalidate the Credit of the Plot. And particularly the Reputation of these three Witnesses.

Against *Dugdale* he produced Evidence, “ That he was a Person of an infamous Life; that he had cheated the Lord *Aston*, his Master, and defrauded the Workmen and Servants of their Wages; that by his Extravagancies and Misdemeanours,

"nours, he had run himself into several Hundred Pounds Debt, for which he was thrown into Goal, and despaired of ever getting out from thence, otherwise than by making the pretended Discoveries. In the next Place that he had directly perjured himself, in divers Parts and Circumstances, as to the Time and Place, in this and other Depositions". And further, he proved, That he had endeavoured to suborn divers Persons to make false Oaths, and so to strengthen his own by other Men's Perjury".

Against *Oaths* he enlarged upon the great Improbabilities, "That so many great and rich Conspirators, who had trusted him with their greatest Secrets, and whose Lives were at his Mercy, should suffer him to be reduced to such a wretched Degree of Beggary, as he was acknowledged to be in when he made his first Discoveries. He likewise insisted upon his *Omissions*, *Additions*, and *Contradictions*, that plainly appeared in his several Depositions about the Plot; and also upon his villainous feigning himself to be of another Religion, by solemn Renunciations of his Faith, and by such Sacraments on one Side, and such Abjurations and Execrations on the other, as rendered him unfit to be admitted for an Evidence against any Man living".

As to *Turberville*, he urged, "That he was perjured in this, and many other of his Depositions; and that his Narrative had many Mistakes and Blunders in it. He denied that he or any of his Servants, ever saw him at *Paris*; and made some Remarks upon his Poverty and want, his loose Manner of living, his shameful Cursing and Swearing, and particularly his using these Words, *God damn me! There is no Trade good now, but that of a Discoverer*".

This Defence, as one easily sees, could not well be more weak; nevertheless it took up a whole Week, and the Account of this Tryal makes a small Volume in *Folio*, with no more in it in Substance than

1680.

than what I have given. The Accusations and Depositions were express, and the Prisoner's Defence consisted; 1. In an absolute Denial of the Crime for which he was impeached. But this Denial could be of no Service to him in his Tryal: It is not that which the Judges go by. 2. In sundry Allegations against the Credit of the Witnesses. But bare Allegations without Proofs, are not wont to clear the Criminal. 3. In an Improbability alledged against *Oates*, which was that if he had been so well acquainted with the Secrets of so many rich Families, they would never have suffered him to live in such Indigence. To this the Lords doubtless payed the Regard which they thought it deserved. But it seems to me, that such an Improbability ought not to pass for a convincing Proof in Favour of the Prisoner. 4. In a Witness who deposed that *Dugdale* was a Person of an infamous Life, and guilty of several Cheats. On which Occasion I cannot forbear repeating here, what I said on the like Occasion, That if in Proof of a Plot against the King or the State, only Witnesses of Honesty and Reputation are to be allowed, there will be Danger of always wanting Evidence, because such Plots are commonly discovered by the Accomplices, and seldom any but Villains are concerned in them.

*The Lord
Stafford
condem-
ned.*

However this be, after the Lord *Stafford* had made a long and pathetick Speech, and in the Presence of God protested his Innocence, he was found Guilty by a Majority of Fifty-five Votes against Thirty-one. The Lord High-Steward asking him, *What he could say for himself why Judgement of Death should not pass upon him, according to Law:* He replied, *My Lord, I have very little to say; I confess I am surprized at it, for I did not expect it. But God's Will be done; I will not murmur at it. God forgive those who have falsely sworn against me.*

Sentence being passed upon him, several of his Relations and Acquaintance were urgent with him to make Discoveries of all he knew as the only Means

to save his Life; to which he answered, that he was willing, out of a meer Sense of Duty, without any temporal View, to discover the utmost of what he knew. Upon this he was brought to the Bar of the Lords, where he discovered Things which all the World knew, and said nothing of what was wanted to be known.

He said, "That he thought it no Crime for any Man to wish his Neighbour might be of the same Religion, wherein he himself hoped to be saved; nay, to seek and promote it by such Ways as the Laws of God and the Nation allow: That there had been on several Occasions, Endeavours used to obtain an *Abrogation*, or at least a *Mitigation* of Severities against the *Catholicks*; but no otherwise than by legal and parliamentary Means. That he himself at *Breda* propounded a Hundred Thousand Pounds to the King for the Taking off of the *Penal Laws* against them. That a *Bill* had been brought into the House of Lords in their Favour, but was quashed by Chancellor *Hyde*. That the Earl of *Bristol* had made some Proposals with no better Success. That he had offered some Proposals to the Duke of *York*, the Chancellor, and the Earl of *Shaftsbury*, which last said, *He doubted not but that there would come great Advantages to the King by it.*" But this pretended Confession not giving Satisfaction to the Lords, he was sent back to the *Tower*.

The 29th of *December* he was beheaded, being 68 Years of Age: He protested his Innocence to the last Moment. *Is be-headed.*

The 15th of *December* the King came to the House of Lords, and sending for the *Commons*, he made a Speech to both Houses, which properly was only a Repetition of that made at the Opening of this Session, relating to his Alliances with *Spain* and *Holland*, for the Repose of *Christendom*, and concerning *Tangier*. After which he renewed his Promise of concurring with them in any Remedies for the Security of the *Protestant* Religion, which might consist with pre-

1680. serving the Succession of the Crown in its due and legal Course of Descent.

Several
Resolves of
the Com-
mons.

The *Commons* returning to their House, instead of taking the King's Speech into Consideration, resolved themselves into a Grand Committee how to secure the Kingdom against *Popery* and *Arbitrary Government*. After a warm Debate, they resolved :

“ That a *Bill* be brought in immediately, to banish all the considerable *Papists* out of the Kingdom.” And upon a farther Debate on the Mischiefs and Dangers of *Popery*, they *Resolved*, “ That it is the Opinion of the Committee, that as long as the *Papists* have any Hopes of the Duke of York's succeeding the King in the Kingdoms of *England* and *Ireland*, and Dominions thereunto belonging; the King's Person, the *Protestant* Religion, and the Lives, Liberties, and Properties of all his Majesty's *Protestant* Subjects, are in apparent Danger of being destroyed.” Then upon Reference made to an *Act* of Queen *Elizabeth*, for an *Association*, they came to a like Resolution: That a *Bill* be brought in for an *Association* of all his Majesty's Subjects, for the Safety of his Majesty's Person, the Defence of the *Protestant* Religion, and the Preservation of his Majesty's *Protestant* Subjects, against all Invasions and Oppositions, and for preventing the Duke of York, or any other *Papist* from succeeding to the Crown.

The House stopped not here; for after considering of Ways and Means to secure the Kingdom against *Popery* and *Arbitrary Government*, they came to these three *Resolves*. 1. That it is the Opinion of this House, that a *Bill* be brought in, *For the more effectual securing of Meetings and Sittings of frequent Parliaments*. 2. That it is the Opinion of the House that a *Bill* be brought in, that the Judges may hold their Places and Salaries, *Quam diu se bene gesserint*. 3. That it is the Opinion of the House, that a *Bill* be brought

brought in, *against illegal Exaction of Money from the People, to make it High-Treason.* 1680.

After they had come to these Resolves, each of which discovered their extreme Distrust of the Court, they thought fit to consider the King's Speech. Many Speeches were made with severe Reflections upon the *French* Ambassador, the *French* Women, the Duke and his Creatures, and indirectly, even upon the King himself. Lastly, they resolved upon an Address to the King, by way of Answer to his Speech, in which they represented :

“ That this *Protestant* Kingdom can never be safe, while there is any Hopes or Expectation of a *Popish* Successor ; and they beseech his Majesty, in his great Wisdom, to consider, whether in Case the Imperial Crown of this *Protestant* Kingdom should descend to the Duke of *York* ; the Opposition which may probably be made to his possessing it, may not only endanger the further Descent in the Royal Line, but even Monarchy itself ? They therefore became humble Petitioners to his Sacred Majesty, that in tender Commiseration to his poor *Protestant* People, his Majesty would be graciously pleased to depart from the Reservation in the said Speech ; and whenever a *Bill* shall be tendered to his Majesty in a parliamentary way, *To disable the Duke of York from inheriting the Crown*, his Majesty will give his Assent thereunto ; as also to another Act, whereby his *Protestant* Subjects may be enabled to *Associate themselves for the Defence of his Majesty's Person, the Protestant Religion, and the Security of his Kingdom.* And as some farther Means for the Preservation both of their Religion and Property, they are humble Suitors to his Majesty, that from henceforth such Persons only may be Judges, as are Men of Ability, Integrity, and known Affection to the *Protestant* Religion, and that they may hold both their Offices and Salaries, *Quam diu se bene gesserint.*” They entreated him

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likewise to give the Offices of Lord-Lieutenants, Deputy-Lieutenants, Justices of the Peace, and all Military Employments, to none but Persons of Integrity, and of known Experience, Courage and Affection to the *Protestant* Religion. After which they promise, " That when these their humble Requests are once obtained, they shall on their Part, be ready to Assist his Majesty for the Preservation of *Tangier*, and for putting his Majesty's Fleet into such a Condition, as it may preserve his Majesty's Sovereignty of the Seas, and be for the Defence of the Nation." The King gave no Answer to this Address till about a Fortnight after.

*Intrigues
of the Pa-
pists to sow
Dissension
amongst
the Pro-
testants.*

While the King and Parliament continued united, the Interest of the *Papists* required a *Toleration* of *Non-conformists*, that themselves might enjoy the Benefit under that general Denomination. But after the King and Parliament were fallen out, the Persecution fell upon the *Papists* alone, who were accused of Designs to introduce their Religion by Force. It was therefore now their Interest to stir up the Church of *England* against the *Presbyterians*, and so cause a Division. It cannot be denied that many of the Bishops and Clergy of the Church of *England* fell into this Snare, and were pleased to see the Court, which always favoured the *Papists*, now inclined to persecute the *Presbyterians*. Supported with the Countenance of the Court, the most zealous of the *Episcopal* Way failed not to discover their Hatred against the *Presbyterians*, so that at the very Time that the *Papists* were accused by the Parliament as the Authors of all the Miseries which the King laboured under, the *Presbyterians* were fallen upon, as if it was intended to throw the whole blame upon them. This laid the Clergy of the Church of *England* but too open, by their appearing to favour the Designs of the *Papists*. Besides, it is certain that during the Contests between the King and the Parliament, the Clergy in general were attached to the Court, and the

the Interests of the Duke of York. This was sufficient to revive the Complaints of the *Presbyterians* against the Church of *England*, and to charge her with leaning to *Popery*. Besides this, as the Court had been well affected to the *Papists* ever since the beginning of this Reign, or at least from the Disgrace of the Earl of *Clarendon*, it will easily be thought that Care had been taken to introduce amongst the *Clergy*, Men of doubtful Religion, and which were likely to give no Alarm to the Court.

These Things gave the House of *Commons* the Hint of screening the *Presbyterians* from Persecution at this Time. They found themselves moreover concerned in it, for the Reason before intimated. There were many *Presbyterians* in the House, who to qualify themselves for their Election, had taken the Oaths, and received the Sacrament in the Church of *England*, but remained as much *Presbyterians* as before. Wherefore the 21st of *December* a Bill was read the first Time, for uniting the King's Protestant Subjects. Whilst the rigid *Episcopalians* prevailed in the second Parliament of this Reign, they had carefully avoided to distinguish the *Protestant Nonconformists* from the others, because it was advantageous to them, to make them but one Body under the same Name. But this Parliament which had other Views, neglected not to make so proper a Distinction. This Bill which perhaps was too indulgent to the *Presbyterians*, having met with strong Opposition in the House, was at last given up for one less advantageous, which exempted the *Protestant Dissenters* from the Penalties enacted against the *Papists* in the 35th Year of *Elizabeth*. This Bill passed both Houses, but was lost no Body knew how, and could not be found when it was to be offered to the King for his Assent *.

The Commons favourable to the Presbyterians.

A Bill passed both Houses in their favour.

T 3

The

* It is plain *Rapin* had not consulted *Burnet* on this occasion, who says, on the Day of the Prorogation, when the Bill for repealing the

1680.
A Vote of
the Com-
mons.

The *Commons* concluded the Year with this Vote,
“ That no Member of the House should accept of
“ any Office or Place of Profit from the Crown,
“ without leave of the House ; nor any Promise of
“ any such Office or Place of Profit during such
“ Time as he should continue a Member of the
“ House.”

1680-1.
Different
Opinions in
the Coun-
cil.

The King found himself very much at a loss what Answer to return to the *Commons* Address. His Council was divided. Some advised him to return no Answer at all, and to make use of this Pretence, that as he had addressed his Speech to both Houses, he could not look upon the particular Address of one of the Houses as an Answer to his Speech. Others were of Opinion that the King should return a positive Answer, because they little cared to keep any Measures with the Parliament, and because on the contrary, well knowing they should never be forgiven by the *Commons*, they were indirectly doing all they could to prevail with him to dissolve the present Parliament, and call no more for the future. The Men of this Opinion were the four Principal Directors of the King's Affairs, namely, *Sunderland*, *Halifax*, Mr. *Hyde*, and Mr. *Godolphin*. When it is considered that from the Beginning of this Reign, or at least from the Earl of *Clarendon*'s Disgrace, there were not only Men of these Principles always in the Council, but that the greatest Part of the Time they were even the chief Ministers, one cannot help believing that the King himself had likewise the same Principles; though there were no other Proof. It is therefore certain, that the Fears of the *Commons* were not groundless. It is likewise to be remarked that though the Council was divided as to the manner of answering the *Commons* Address, they were agreed as to

the Bill of the 35th of *Elizabeth* ought to have been offered to the King, the Clerk of the Crown, by the King's particular Order, withdrew the said Bill. The King had no mind openly to deny it; but he had less mind to pass it. So this indirect Method was taken, which was a high Offence in the Clerk of the Crown, p. 495.

to the Thing itself, and that not one of the Privy-Counsellors was for having the King consent to the Exclusion of the Duke of York. 1680-1.

Though the King at first seemed to approve of the former of these Opinions, he suffered himself nevertheless to be influenced by the latter, which was to return a positive Answer to the *Commons*, and he did so in the following Terms :

His Majesty received the Address of this House with all the Disposition they could wish to comply with their reasonable Desires, but upon perusing it, he is sorry to see their Thoughts so wholly fixed upon the Bill of Exclusion, as to determine, that all other Remedies for the suppressing of Popery, will be ineffectual : His Majesty is confirmed in an Opinion against that Bill, by the Judgement of the House of Lords, who rejected it. He therefore thinks there remains nothing more for him to say, in Answer to the Address of this House, but to recommend to them the Consideration of all other Means for the Preservation of the Protestant Religion, in which they have no Reason to doubt of his Concurrence, whenever they shall be presented to him in a parliamentary way : And that they would consider the present State of the Kingdom, as well as the Condition of Christendom, in such a manner as may enable him to preserve Tangier, and secure the Alliances Abroad, and the Peace and Settlement at Home.

The King's Answer to the Commons Address.

This Answer was not read in the House till three Days after, because the *Commons* were busy in drawing up an Impeachment against Chief-Justice Scroggs, who was accused of endeavouring to stifle the Belief of the Plot, discouraging the King's Evidences, dismissing the Grand-Jury that should have presented the Duke of York, and unjustly prosecuting of several Writers and Publishers of Pamphlets. In this Interval the Lords sent to the *Commons* a Vote passed by them, " That they declared and were fully satisfied that there now was, and for divers Years last had been, a horrid and treasonable Plot, continued and

A Vote of the Lords.

1680-1. " carried on by the *Irish-Papists*, for massacring the
 " *English*, and subverting the *Protestant* Religion,
 " and the antient established Government in that
 'Approved by the Commons. " Kingdom." The *Commons* readily concurred to
 this Vote, and added, " That the Duke of *York's* be-
 " ing a *Papist*, and the Expectation of his coming
 " to the Crown, had given the greatest Countenance
 " and Encouragement thereto, as well as to the hor-
 " rid *Popish Plot* in the Kingdom of *England*."

When the King's Answer was read in the House of *Commons*, it raised great Heats and Complaints against the Lords, who were accused of having throw-
 out the *Bill of Exclusion* in pure Complaisance to the King, or because they were awed by his Presence. At last, after great Debates they came to these three Resolutions :

Resolutions
 of the Com-
 mons upon
 the King's
 Answer.

" 1. That it is the Opinion of this House, that there
 " is no Security or Safety for the *Protestant* Religion,
 " the King's Life, or Government of this Nation,
 " without passing a *Bill* for disabling *James* Duke of
 " *York* to inherit the Imperial Crown of this Realm,
 " and the Dominions and Territories thereunto be-
 " longing : And to rely upon any other Means and
 " Remedies, is not only *Insufficient* but *Dangerous*.

" 2. That his Majesty in his late Message, having
 " assured this House of his Readiness to concur in
 " all other Means for the Preservation of the *Pro-*
 " *testant* Religion, *This House doth declare*, that un-
 " til a *Bill* be likewise passed for excluding the
 " Duke of *York*, this House cannot give any Supply
 " to his Majesty, without Danger to his Majesty's
 " Person, extreme hazard of the *Protestant* Religion,
 " and Unfaithfulness to those by whom the House is
 " intrusted.

" 3. That all Persons who advised his Majesty in
 " his last Message to this House, to insist upon an
 " Opinion against the *Bill* for excluding the Duke of
 " *York*, have given pernicious Counsel to his Majes-

" ty,

“ ty, and are Promoters of *Popery*, and Enemies to 1680-1.
“ the King and Kingdom. ”

In Pursuance of this last Vote, the House came to a Resolution of waiting on the King with an Address to remove from his Person and Counsel George Earl of *Halifax*, *Laurence Hyde Esq*; the Marquess of *Worcester*, and the Earls of *Clarendon* and *Feverham*. Moreover they resolved, That whosoever should hereafter lend or cause to be lent by way of *Advances* any Money upon the Branches of the King's Revenue arising by *Custom*, *Excise*, or *Hearth-Money*, should be judged a Hinderer of the sitting of Parliaments, and be responsible for the same in Parliament — And that whosoever should accept or buy any *Tally* or Anticipation upon any Part of the King's Revenue should be adjudged as before.

An Address from the Commons to the King.

A Vote against him.

The House of *Commons* could hardly carry Matters any farther, and seemed desirous of engaging the King in some Act of Violence which might give them an Handle against him. Thus had the Parliament of 1640 behaved toward *Charles I.* But *Charles II* had one Advantage wanted by his Father, which was that he had not, like him, deprived himself of the Power to prorogue or dissolve the Parliament, and so could whenever he pleased put an end to the Mortifications which were given him. It is true in such a Case he must have contented himself with his ordinary Revenue, which, to a Prince so prodigal as He, was no easy Matter. It was this Reflection which filled his Enemies with Hopes of bringing him at last to their Terms, and extorting his Consent to the *Exclusion-Bill*. Indeed if Father *Orleans* may be credited, the Dutchess of *Portsmouth* threw herself at his Feet, and prayed him not to make himself a Sacrifice to his Affection for his Brother *. *Fagel*, Pensioner

The King is in vain pressed to forsake the Duke of York.

* The true Reason, according to *Burnet*, why the Dutchess of *Portsmouth* openly declared for the House of *Commons*, and was so hearty for the *Exclusion*, was this: It was proposed to her that if

1680-1. sioner of *Holland*, sent over by Mr. *Sydney* the King's Envoy there, a Memorial, representing that the King could not support the Duke of *York*, but by relinquishing the Interests of all *Europe*.

But this Argument made no great Impression on the King's Mind. On the contrary, these Things served only to provoke him the more, so that he resolved to prorogue the Parliament. The *Commons* having private notice of this, met earlier in the Morning than usual, and before the King came to the House of Lords the 10th of *January*, they had time to pass the following Votes :

*Votes of
the Com-
mons.*

“ 1. That whoever advised his Majesty to pro-
“ rogue the Parliament, to no other Purpose than in
“ order to prevent passing a *Bill* for the Exclusion of
“ *James* Duke of *York*, is a Betrayer of the King,
“ the *Protestant* Religion, and of the Kingdom of
“ *England*, a Promoter of the *French* Interest, and
“ a Pensioner of *France*.

“ 2. That it is the Opinion of this House, That
“ the *Acts* of Parliament made in the Reign of
“ *Queen Elizabeth* and King *James*, against *Papists*
“ *Recusants*, ought not to be extended against *Pro-*
“ *testant-Dissenters*.

“ 3. That it is the Opinion of this House, That
“ the Prosecution of *Protestant Dissenters* upon the
“ *Penal* Laws, is at this time grievous to the Sub-
“ ject, a weakning the *Protestant* Interest, an Encou-
“ ragement to *Popery*, and dangerous to the Peace
“ of the Kingdom. ”

*The King
prorogues
the Par-
liament.*

These Votes were scarce passed, when the King came to the House of Peers, and sending for the
Commons,

if she could bring the King to the Exclusion, the Parliament would next press the King to declare the Successor to the Crown ; and as she was absolute Mistress of the King's Spirit, she might reckon the King would be prevailed on to declare her Son his Successor. The Duke of *Monmouth*, who had the same view, joined with her to carry on the Exclusion, and they thought they were making Tools of one another to serve their own Ends, p. 487.

Commons, gave the Royal Assent to Two or Three *1680-1.*
Acts of little Importance, and then the Chancellor
 by his Order prorogued the Parliament to the 20th
 of *January*.

Three Days after the Lord-Mayor and Common-
 Council of *London* waited on the King with an Ad-
 dress for the sitting of the Parliament on the Day ap-
 pointed, that they might effect the great Affairs be-
 fore them. This Address only served to exasperate
 the King further. Wherefore by a Proclamation
 issued out the 18th of *January*, he dissolved the Par-
 liament, after it had sate about three Months. At
 the same time he summoned another to meet at *Ox-*
ford the 21st of *March*, being offended with the City
 of *London*.

*Addressed
by the City
of Lon-
don.*

*He dis-
solves the
Parlia-
ment,
and calls
one at Ox-
ford.*

While these Quarrels were depending, the Ministers
 and Privy-Counsellors were by no means at ease. They
 saw the House of *Commons* so attached to the *Exclu-*
sion-Bill, that nothing else was able to satisfy them.
 On the other Hand, they knew by Experience that
 on other important Occasions, the King had not shown
 that Firmness which his Ministers could have wished,
 but had given them up, and come into the Measures
 of the Parliament. This made them fear that the
 same Thing might happen on the present Occasion,
 and therefore the Earl of *Sunderland* fell off the first,
 and in direct Disobedience to the King's Order, voted
 for the *Exclusion-Bill* in the House of Lords. The
 Earls of *Essex* and *Salisbury*, Privy-Counsellors, did
 the same; and Sir *William Temple* sufficiently testifies
 his Fear of venturing himself with the House of
Commons. This Conduct of some of the Privy-
 Counsellors gave the Country-Party hopes that the
 King would at last comply if he was warmly pres-
 sed.

*The Mini-
sters and
Privy-
Counsel-
lors in
great Dif-
ficulties.*

But that Party found themselves mistaken in their
 Expectations. For though the King had discovered
 no great Firmness in other Difficulties, yet in the Af-
 fair of his Brother he was ever immovable. Imme-
 diately after the Dissolution of the Parliament he re-
 moved

*The King
persists in
standing
by his
Brother.*

1580-1.
New Pro-
motions
amongst
the Privy-
Counsellors and
Judges.

moved the Earl of *Sunderland* from being Secretary, and gave the Place to the Earl of *Conway*. He likewise struck out of the List of Privy-Counsellors the Earls of *Essex*, *Salisbury*, *Sunderland*, and Sir *William Temple*, and filled the Vacancies with Men, whose Principles were more agreeable to his own *. He likewise made some Alteration amongst the Judges. In a Word, by the Men whom he advanced he sufficiently discovered his Resolution to support the Duke his Brother at all Adventures.

London
chooses the
old Mem-
bers.

On the other Hand, the contrary Party to the Court were not idle. The Magistracy and Common-Council of *London* being all in that Party, hastened the Election of Members to serve in the ensuing Parliament, and on the 14th of *February* rechose their old Members *. The Election was no sooner over than the new Representatives were presented with a Paper in the Name of the Citizens of *London* then assembled in Common-Hall, containing a “ Return
“ of their most hearty Thanks for their faithful and
“ unwearied Endeavours in the two last Parliaments,
“ to search into and discover the Depth of the *Popish*
“ *Plot* ; to preserve his Majesty’s Royal Person, the
“ Protestant Religion, and the well-established Go-
“ vernment of this Realm ; to secure the Meeting
“ and Sitting of frequent Parliaments ; to assert
“ their undoubted Rights of petitioning, and to pu-
“ nish such as have betrayed those Rights ; to pro-
“ mote the long-wished-for Union of his Majesty’s
“ Subjects ; to repeal the Thirty-fifth of *Elizabeth*,
“ and the *Corporation Act* ; and more especially for
“ their assiduous Endeavours in promoting the *Bill of*
“ *Exclusion of James Duke of York*.” In fine, they concluded, “ That being confidently assured that
“ they, the said Members for the City, will never
“ consent

* The Earls of *Oxford*, *Chesterfield*, and *Alesbury* were sworn Privy-Counsellors. Not long after the Lord *Crauen* was likewise made Privy-Counsellor.

* Sir *Robert Clayton*, Sir *Thomas Player*, *Thomas Pilkington*, and *William Love*. This was the third time of their being chosen.

“ consent to the granting any Money-Supply, till
 “ they have effectually secured them against *Popery*
 “ and *Arbitrary Power*, they resolved by God’s
 “ Blessing to stand by their said Members with their
 “ Lives and Fortunes.” The Example of *London*
 was followed by most Places in the Kingdom, and
 not only the old Members were re-elected, but Papers
 of Addresses, like that of *London*, were presented
 to them. Wherefore when the Elections were over,
 the King with Vexation saw that he was only to meet
 the Parliament which he had dissolved.

Mean while the King’s Care to have his new Par-
 liament meet him at *Oxford*, gave great Uneasiness to
 the Country-Party. They would have been glad
 that the Parliament should sit at *Westminster*, where
 they were sure of the Assistance of the *Londoners* in
 case of need. And who knows but that they might
 have some Thoughts of extorting from the Lords the
Bill of Exclusion in the same manner that the *Commons*
 of 1640 had forced the Lords Compliance to the *Bill*
of Attainder against the Earl of *Strafford*? Be this as
 it will, they resolved to use their utmost Endeavours
 to alter the Place, and get the Parliament removed
 to *Westminster*. For this Purpose the Earl of *Essex*,
 attended by sixteen Lords, delivered a Petition to
 the King, introducing it with the following Speech :

“ *May it please your Majesty,*

“ THE Lords here present, together with di-
 “ vers other Peers of the Realm, take Notice
 “ that by your late Proclamation, your Majesty had
 “ declared an Intention of calling a Parliament at
 “ *Oxford*; and observing from History and Re-
 “ cords, how unfortunate many Assemblies have
 “ been, when called at a Place remote from the ca-
 “ pital City; as particularly the Congress in *Henry*
 “ the Second’s Time at *Clarendon*; Three several
 “ Parliaments at *Oxford* in *Henry* the Third’s Time,
 “ and at *Coventry* in *Henry* the Sixth’s Time; with
 “ divers

*The Earl
 of Essex’s
 Speech to
 the King.
 Echard.
 p. 1002.*

1680-1. “ divers others which have proved very fatal to
 “ those Kings, and have been followed with great
 “ Mischief to the whole Kingdom: And considering
 “ the present Posture of Affairs, the many Jealousies and Discontents which are amongst the People, we have great Cause to apprehend, that the
 “ Consequences of a Parliament now at *Oxford*,
 “ may be as fatal to your Majesty and the Nation,
 “ as those Times mentioned to have been to the
 “ then reigning Kings. And therefore we do conceive, that we cannot answer it to God, to your
 “ Majesty, or to the People, if we, being Peers of
 “ the Realm, should not on so important an Occasion humbly offer our Advice to your Majesty;
 “ That if possible, your Majesty may be prevailed
 “ with to alter this (as we apprehend) unseasonable
 “ Resolution. The Grounds and Reasons of our
 “ Opinions are contained in this our Petition,
 “ which we humbly present to your Majesty.”

The Petition contained in Substance an Enumeration of the Mischiefs which so many Adjournments, Prorogations and Dissolutions of Parliament had caused for some Years past, at a Time when his Majesty's Person, and the whole Nation were in such imminent Danger from the *Papists*. “ And now his
 “ Majesty has been prevailed upon to call another
 “ Parliament at *Oxford*, where neither *Lords*, nor
 “ *Commons* could be in Safety, but daily would be
 “ exposed to the Sword of the *Papists* and their Adherents, of whom too many had crept into his
 “ Majesty's *Guards*: The Liberty of Speaking according to their Conscience would be thereby destroyed, and the Validity of *Acts* and Proceedings
 “ left disputable: The Straitness of the Place now admitting of such a Concourse of Persons, as
 “ now followed every Parliament; and the Witnesses which were necessary to give Evidence upon
 “ the *Commons* Impeachment, were unable to bear
 “ the Charges of such a Journey, and unwilling to
 “ trust themselves under the Protection of such a
 “ Parlia-

“ Parliament, that was it self evidently under the
 “ Power of *Guards* and *Soldiers*. In Conclusion,
 “ they prayed that the Parliament might as usual,
 “ sit at *Westminster*, where they might Consult and
 “ Act with Safety and Freedom.”

To this Address the King returned not one Word of Answer, but contented himself with frowning upon the Lords who presented it.

All this while the two Parties were skirmishing in a so hot, or rather so violent a manner with their Pens, that they preserved no Decency. *Libels* swarmed with Impunity. Some pretend that this was an Artifice of the Court to prevent the Union of the *Protestants*, and that ill Language thrown out against the King and the Duke of *York* was patiently born with, in order to have the Blame cast on the *Presbyterians*, and to furnish the *Episcopal* Party with an Opportunity to return the Imputation of too blind an Attachment to the Court. Thus much is certain, that this Division, which was carefully fomented, turned to the King's Advantage, as will be seen afterwards. On this Subject I shall relate an Affair which then made a great Noise.

One *Fitz-Harris* an *Irish* Papist, who had free Access to the Dutcheſs of *Portsmouth*, and kept a Correspondence with her Favourite-Woman Mrs. *Wall*, and the Confessor of the *French* Ambassador, having received several Presents, and particularly one of 250 Guineas, undertook to prevail with one *Everard* to write a Libel against the King. *Everard* feigned to consent, and appointed a Meeting to receive the Heads out of which his Pamphlet was to be framed; but at the same Time he communicated the Affair to Sir *William Waller* and Mr. *Smith*, and hid them in a Place where they might hear what passed between *Fitz-Harris* and him. The Day following, being both together in one Room, *Fitz-Harris* told *Everard* that he should write a Libel against the King upon the following Heads,

The Affair
of Fitz-
Harris.

That

1680-1. That the King and Royal Family were *Papists*, and arbitrarily affected from the Beginning.

That *Charles I.* had a Hand in the *Irish* Rebellion, and that *Charles II.* did countenance the same by preferring *Fitz-Gerald*, *Fitz-Patrick*, and *Mount-Garret*, who were engaged in the said Rebellion.

That the Act, forbidding to call the King a *Papist*, was to stop Men's Mouths when he should incline to further *Popery*; which appeared by his adhering so closely to the Duke of *York's* Interest, and hindering him from being proceeded against by the Parliament, and hindering the Officers put in by the Duke to be turned out; and for that the Privy-Counsellors and Justices of the Peace, who were for the *Protestant* Interest, were turned out of all Places of Trust.

That it was as much in the Power of the People to depose a *Popish* Possessor, as a *Popish* Successor; and seeing there was no Hopes that the Parliament, when they met at *Oxford* could do any good, the People were bound to provide for themselves.

Everard afterwards received these Instructions in Writing, and drew up his Libel, which was injurious to the King, and full of Sedition. This Libel was to be dropped in the Houses of several who were Enemies to the Court, and particularly in those of the *Presbyterians*, which Houses were to be searched in order to find this Libel in them, which was to serve as a Proof of a Conspiracy formed by the *Presbyterians* against the Government. This was the Account given of the Libel by *Everard*, and that it came from the Court. At last, *Waller* having informed the King of the Affair, the King ordered Secretary *Jenkins* to issue out a Warrant for the apprehending *Fitz-Harris*, and that *Waller* should execute it. Yet he was no sooner gone, but Sir *William* declared, he was informed by two worthy Gentlemen, That the King was highly offended with him, saying, he had broken all his Measures; and that he would one way or other have him taken off. However this be,

be, *Waller* arrested *Fitz-Harris*, and sent him to *Newgate* *.

1680-1.
He is sent
to New-
gate.

Here, as before in the Plot, it is pretended that *Fitz-Harris* was gained by Promises or Threats, to depose what we have seen. But before this Affair could be searched to the Bottom, *Fitz-Harris* was taken out of *Newgate*, and committed to the *Tower* by the King's exprefs Order. I shall enter no farther into the Particulars of this Matter, but content my self with briefly saying in a Word, That shortly after the Dissolution of the *Oxford* Parliament, when the Court began to sail with a prosperous Gale, and were under no Check from the Parliament, *Fitz-Harris* was brought to his Tryal; that the Dutches of *Portsmouth* owned she had given him Money, but merely out of Charity; That *Fitz-Harris* always persisted in his having done nothing but by Order, and that after his Death, his Wife constantly affirmed that he was employed by the Court. In short, he was condemned and executed, whilst the Publick was at a loss to comprehend for what Reason an *Irish Papist* had published a Libel against the King, if it was not an Artifice of the Court. This Affair began in *February*, and the last Parliament had taken Cognizance of it, so far, that the House of *Commons* had ordered an Impeachment against him, and when he was carried to the *Tower*, declared that no Inferiour Court had any Power to try him, nor to meddle in this Affair. He was nevertheless tried, condemned and executed, to the great Disappointment of the *Whigs*, who hoped by his Means, to bring to Light the Artifices of the Court. But the King and his Party found it for their Advantage to get rid of a Man, who might occasion them some Trouble.

The King
sends him
to the
Tower.

He is con-
demned
and exe-
cuted.

* *Burnet* says, *Fitz-Harris* framed the Libel himself, and only showed it to *Everard*, who believing he intended to trepan him, placed Witnesses to over-hear all that past, *Fitz-Harris* having the Libel with him, all wrote with his own Hand, *Everard* went with the Paper and informed against him. P. 457.

1680-1. He was not executed till the Month of *June*, after the Dissolution of the *Oxford-Parliament*.

All the World expected the Meeting of this Parliament with the utmost Impatience, and the King with great Uneasiness, foreseeing he should reap no Benefit from thence. He repaired to *Oxford* seven or eight Days before the Meeting, and as the Suspicions and Fears of the *Whig-Party* were now at the height, it was thought that the King went so soon to *Oxford*, with no other Design, but to take his Measures before-hand for rendering himself Master of the Parliament. Accordingly the Members testified, in the most open Manner their Fears of some Violence, by going thither attended with so many armed Persons. Those of *London* in particular were attended to *Oxford* with a numerous Body of well-armed Horse, having Ribbands in their Hats, with these Words woven in them, *No POPERY, No SLAVERY*. The Parliament meeting the 21st of *March*, the King made the following Speech to both Houses *.

“ *My LORDS and GENTLEMEN,*

*The King's
Speech to
the Parlia-
ment.*

“ **T**HE unwarrantable Proceedings of the last
“ House of *Commons*, were the Occasion of my
“ parting with the last Parliament ; for I, who will
“ never use *Arbitrary Government* my self, am re-
“ solved not to suffer it in others. I am unwilling
“ to mention Particulars, because I am desirous to
“ forget Faults ; but whosoever calmly considers
“ what Offers I have formerly made, and what As-
“ surances I renewed to the last Parliament ; how I
“ recommended Nothing to them so much as the
“ Alliances I had made for the Preservation of the
“ general Peace in *Christendom*, and the further Exa-
“ mination of the *Popish Plot*, and how I desired
“ their Advice and Assistance concerning the Preser-
“ vation

* The Lords sat in the Gallery of the Publick Schools, and the *Commons* in the Convocation-House.

1680-1

“ vation of *Tangier* ; and shall then reflect upon the
 “ strange unsuitable Returns made to such Propo-
 “ sitions, by Men that were called together to
 “ consult ; perhaps may wonder more, that I had
 “ Patience so long, than that at last I grew weary
 “ of their Proceedings. I have thought it Necessary
 “ to say thus much to you, that I may not have
 “ any new Oecasion given me to remember more of
 “ the late Miscarriages : It is much my Interest, and
 “ it shall be as much my Care as yours, to preserve
 “ the Liberty of the Subject ; because the Crown
 “ can never be safe when that is in Danger : And I
 “ would have you likewise be convinced, That nei-
 “ ther your *Liberties* nor *Properties* can subsist long,
 “ when the just *Rights* and *Prerogatives* of the Crown
 “ are invaded, or the Honour of the Government
 “ brought low, and into Disreputation.

“ I let you see, by my calling the Parliament so
 “ soon, that no Irregularities in Parliaments shall
 “ make me out of Love with them ; and by this
 “ Means, offer you another Opportunity of pro-
 “ viding for our Security here, by giving that
 “ Countenance and Protection to our Neighbours
 “ and Allies, which you cannot but know they ex-
 “ pect from us, and extreamly stand in need of it
 “ at this Instant ; and at the same Time give one
 “ Evidence more, that I have not neglected my
 “ Part, to give that general Satisfaction and Securi-
 “ ty, which by the Blessing of God, may be at-
 “ tained, if you, on your Parts, bring suitable Dis-
 “ positions towards it : And that the just Care you
 “ ought to have of *Religion*, be not so managed and
 “ improved into *unnecessary Fears*, as may be made
 “ a Pretence for changing the *Foundation* of the Go-
 “ vernment. I hope the Example of the ill Suc-
 “ cess of former Heats, will dispose you to a better
 “ Temper ; and not so much to inveigh against what
 “ is past, as to consider what is best to be done in
 “ the present Conjunction, the further Prosecution
 “ of the Plot ; the Tryal of the Lords in the Tow-

1680-1.

“ *er* ; the providing a more speedy Conviction of
 “ *Recusants*, and if it be practicable, the ridding
 “ our selves quite of that *Party*, that have any con-
 “ siderable Authority or Interest among them, are
 “ Things, though of the highest Importance, that
 “ hardly need to be recommended to you, they are
 “ so very obvious to every Man’s Consideration, and
 “ so necessary to our Security. But I must needs de-
 “ sire you, not to lay so much Weight upon one
 “ *Expedient* against *Popery*, as to determine that all
 “ other are *ineffectual* ; And among all your Cares
 “ for Religion, remember, that without the *Safety*
 “ and *Dignity* of the *Monarchy*, neither *Religion* nor
 “ *Property* can be preserved.

“ What I have formerly and so often declared,
 “ touching the *Succession*, I cannot depart from. But
 “ to remove all reasonable Fears that may arise
 “ from the Possibility of a *Popish Successor’s* coming
 “ to the Crown ; if *Means* can be found, that in such
 “ a Case the Administration of the Government may
 “ remain in *Protestants* Hands ; I shall be ready to
 “ hearken to any such *Expedient*, by which the *Reli-*
 “ *gion* may be preserved, and the *Monarchy* not de-
 “ stroyed. I must therefore earnestly recommend
 “ to you, to provide for the *Religion* and *Govern-*
 “ *ment* together, with Regard to one another, be-
 “ cause they support each other : And let us be u-
 “ nited at Home, that we may recover the Esteem
 “ and Consideration we used to have Abroad. I
 “ conclude with this one Advice to you, *That the*
 “ *Rules and Measures of all your Votes may be the known*
 “ *and established Laws of the Land* ; which neither
 “ can, nor ought to be departed from, nor changed,
 “ but by *Act* of Parliament ; And I may the more
 “ reasonably require, that you make the Laws of
 “ the Land your *Rule*, because *I am resolved they shall*
 “ *be mine.*”

The *Commons* returning to their House, chose for
 their Speaker the same Person who had been in that
 Office

Office the last Parliament, and the King approved of the Election. 1680-1

After the *Commons* had spent three Days in chusing their Speaker, and taking the Oaths, a Motion was made for printing the *Votes*, and carried, notwithstanding the Opposition of Secretary *Jenkins*. As the secret Design of the *Commons* was to let the People see the Necessity of the *Exclusion-Bill*, they were desirous to acquaint them with every Step that was taken in that Affair, that they might not be deceived by general unauthorised Accounts of it. For a contrary Reason the King was unwilling to let the People into the Detail of this Affair. But his Party was not strong enough to prevent it; and from that Time the *Votes* of the *Commons* have continued to be printed, to the great Advantage and Profit of the *Speaker*.

A Resolution to print the Votes.

In the second Place a Motion was made to enquire into the Miscarriage of the *Bill* for the Repeal of the *Act* of the 35th of *Elizabeth*, how it came to be slipt over in the late Parliament, and not presented for the Royal Assent? *Which*, said the Mover, *I look upon as a Breach of the Constitution of the Government*. But the further Debate of this Matter was adjourned to the next Day.

In the third Place a Motion was made to bring in a *Bill* to exclude the Duke of *York* from the Succession. Secretary *Jenkins* warmly opposed it, because, as he said, the King had given his Vote against it. But he was answered that the King had as strongly declared, that he would never depart from his Declaration for Liberty of Conscience; notwithstanding upon Reasons given him by the House he had revoked it. Though the Debates upon this Subject were very warm, the House came to that Temper as to agree, that in order to pay the King all the Respect that might be, they would set a-part a Time to consider of Expedients, and accordingly they appointed *Saturday* the 26th for the Debate of them.

1680-1. Fourthly, They examined the Affair of *Fitz-Harris*, and his Libel, and thought the Matter so full of Knavery and Subtilty, and of that Consequence to the Publick, that they resolved to impeach the said *Fitz-Harris* of High-Treason, that the Bottom of this Mystery might be seen into, and the Artifices of the Court be laid open. Secretary *Jenkins*, the King's Friend in that House, was ordered to carry up the Impeachment to the House of Lords. He refused at first, but being threatened by the House, he at last complied. At the same Time it was ordered, that Sir *William Waller* should have the Thanks of the House for having arrested *Fitz-Harris*.

1681. The 26th of *March*, the Day fixed for examining the Expedients which should be proposed to prevent the *Exclusion-Bill*, a Paper was read in the House, of which this is the Substance *.

Expedients
proposed
instead of
the Bill of
Exclusion.

“ 1. That the Duke of *York* be banished, during
“ his Life, five Hundred Miles from *England*, *Scot-*
“ land, and *Ireland*, and the Dominions and Terri-
“ tories to them belonging. 2. That the whole Go-
“ vernment, both Ecclesiastical and Civil, shall up-
“ on the Demise of the King, be vested in a Regent,
“ for such Time as the Duke of *York* shall survive.
“ 3. That the Regent be the Princess of *Orange*; and
“ in Case of her Decease without Issue, or with Is-
“ sue in Minority, then the Lady *Ann*. 4. That if
“ the Duke have a Son educated a *Protestant*, then
“ the said Princesses respectively, shall succeed in
“ the Regency, during the Minority of such Son,
“ and no longer. 5. That the Regent do nominate
“ the Privy-Council, and they to be, or not to be
“ approved by Parliament, as shall be judged safest,
“ upon directing the drawing up of this intended *Act*.
“ 6. That notwithstanding these Kingdoms (out of
“ Respect to the Royal Family and Monarchy it self)
“ may

* It is to be observed, that the Duke and his Party declared themselves more against the *Limitations* than against the *Exclusion* it self.

“ may be governed by the said Regent, in the Name
 “ and Style of *James the Second, &c.* yet it shall be
 “ made Capital for any to take up Arms on his Be-
 “ half, or by his Commission, not signed by the said
 “ Regent, or granted by lawful Authority derived
 “ from, and under such Regent; or to maintain an
 “ Opinion, that the Retaining the said Name and
 “ Style, shall in this Case purge the Disabilities im-
 “ posed by this *Act*, or elude the Force thereof.
 “ 7. That Commissioners be forthwith sent to the
 “ Princess of *Orange*, to take their Oaths, That they
 “ will take upon them the Execution of this *Act*, and
 “ that their Oaths be here recorded. 8. That all
 “ Officers, Civil and Military, forthwith take Oaths
 “ to observe this *Act*, from Time to Time, as in the
 “ *Act* for the *Test*. 9. That his Majesty would gra-
 “ ciously declare to call a Parliament in *Scotland*, in
 “ Order to passing the like *Act* there, and recom-
 “ mending the same, and the like to be done in *Ire-*
 “ *land*, if thought necessary. 10. That in Case the
 “ said Duke shall come into any of these Kingdoms,
 “ then shall he be *ipso facto* excluded, and shall suf-
 “ fer as in the former *Bill*; and the Sovereignty
 “ shall be forthwith invested in the Regent, upon
 “ such his coming into any of these Kingdoms. 11.
 “ That all considerable *Papists* be banished by Name.
 “ 12. That all their fraudulent Conveyances be de-
 “ feated. 13. That their Children be educated in the
 “ *Protestant Religion*.”

The House was so little disposed to accept the Ex-^{Rejected.}
 pedients offered to prevent the *Exclusion-Bill*, that
 they found in them, how rigorous soever they were a-
 gainst the Duke, more Difficulties than in the *Bill* it-
 self. Wherefore after divers fruitless Debates, allow-
 ed only for Form-sake, the House resolved to adhere
 to the *Bill* of Exclusion which had gone through the
Commons the last Parliament, and this *Bill* was ordered
 to be brought in the *Monday* following.

1681.
*The King
 governs
 arbitrarily.*

From this Time the King, as long as he lived, governed not only without a Parliament, but with absolute Power. As soon as he saw himself out of the Reach of the Parliament, he pulled off the Mask of Dissimulation, and let the World see that the *Po-pish* Plot, the Prosecution whereof he had recommended so often, and so earnestly, to the Parliament, appeared now to him a meer Chimera, or at least not near so Dangerous as he would have had it believed. The four Lords Prisoners in the *Tower*, whom he would once have sacrificed to the Parliament, now appeared Innocent to him. But what was still more remarkable, even to the End of this Reign, was, that the King grew as Cruel and Bloody as he had hitherto appeared Gentle and Merciful, and that as soon as he had the Power in his Hands, he let his Enemies feel the most terrible Effects of his Vengeance. In a Word, he made it clearly appear by his Conduct, that he was entirely in the Principles of Despotick Power, and had only dissembled his Sentiments in his Speeches to his Parliament, because he judged such Dissimulation proper to conduct him to the great End proposed to himself from the first Years of his Reign.

The Reader must needs be astonished to see a King who had received so many Mortifications from his Parliaments, who had been so often obliged to comply, and pretend himself to be what he never was; to see him, I say, on a sudden become absolute Master of his Kingdom, without Fleet, without Army, without Foreign Assistance, without Money, but that of his ordinary Revenue; after such long and unsuccessful Labour, to accomplish his Designs. It is therefore absolutely necessary to open the Springs of so surprizing a Revolution.

*The Causes
 which put
 the King
 into the
 Possession
 of absolute
 Power.*

We have seen before that by the Artifices of the Court, and the peculiar Propension of many *English-men*, the Kingdom was divided into two Factions, called *Whigs* and *Tories*. This Division was fomented with such Diligence by the Court and the *Po-pish*-Par-

ty, that at last it became exceeding great. To render the two Parties irreconcilable, it was insinuated to the *Episcopalians*, of whom the Majority were *Tories*, that both Church and Monarchy were in Danger, and that the Scene was again opening which had brought on the Troubles of *Forty-one*: That the *Presbyterians* under Colour of providing for the Preservation of Liberty, had only in view the Destruction of the Church of *England*, and the Introduction of *Presbyterianism*; in order to which they were pursuing the same Measures that they had taken in 1640, and the following Years, by undermining the Foundations of Monarchy, the more easily to pull down the Church. These Insinuations had the greater Effect, as what had once happened, and whereof the Memory was still fresh, might happen again; and I do not know whether it can be justly doubted, that some of the *Presbyterians* had such a Thing in View. This was enough to awaken the old Animosities between the Church of *England*, and *Presbyterianism*. The *Episcopalians* terrified with the Prospect of falling into the same State, out of which they had been almost miraculously delivered, looked on the Establishment of *Papery*, with which they were alarmed, as a distant and uncertain Evil, and that of *Presbyterianism* as certain and present. It is even very probable, that many of them, whose Passions were heated, thought *Papery* the less Evil of the two. In this Belief they threw themselves as it were desperately into the Court-Party, not considering that the Duke of *York*, whose Cause they espoused, was no better affected to them than to the *Presbyterians*. It was the Effect of Passion which made them forget the Interest of the *Protestant Religion*, that they might not see themselves once more under the *Presbyterian Yoke*. On the other Hand, the three last Parliaments, composed, as I observed, of Men well affected to *Presbyterianism*, proceeded not with Caution enough, but discovered too hastily or too openly their Designs with Regard to Religion. By that they gave the Court-

1681.

Court-Party a fair Opportunity of uniting themselves with the *Episcopalians*, and of joining together the Interest of Religion and the Monarchy. From this Time the *Tories* were so well pleased with this Union, that they would never leave off separating these two Interests, but once under the Reign of *James II.*, when there was no longer a Possibility of keeping them united, without overturning at once the established Government and Religion. The *Whigs* on their Side, having since perceived what Advantages the *Tories* made of this Union, seem to have lessened their Pretensions with regard to Religion, contenting themselves with procuring the *Presbyterians* a bare Liberty of Conscience. But the *Tories* not trusting to this Moderation look upon it as only a Snare and an Artifice to separate the Interests of Religion from those of the State; for in this Union the Strength of the *Tory-Party* wholly consists. I have digressed perhaps a little too far from my Subject, in speaking of these two Parties, with regard to what had happened since the Reign of *Charles II.* But I hope the Reader will not be displeased with this general Idea of them. I return now to the Transactions of this Reign after the Dissolution of the *Oxford-Parliament*.

The *Protestants* being thus divided, and the Court having drawn the Church of *England* into their Party, that of the *Tories* was now composed of all the rigid *Episcopalians*, who bore a mortal Hatred to the *Presbyterians*, of all the *Papists*, and of all those to whom all Religions were indifferent, and had no other Views but those of raising their Fortunes by the Court. It may be affirmed, that *England* never had more of the latter sort than in this Reign, the King labouring to increase their Number, whether from his own Inclination, or because he depended on such as his firmest Friends. The *Whig-Party* consisted of all the *Presbyterians*, and of some Members of the Church of *England*, who were more attached to the Interests of the State, and the *Protestant Religion* in general than to that of the Church of *England* in particular. But
the

the City of *London* was the greatest Strength of this Party, as the Magistrates were entirely devoted to it. Things standing thus, the King was of Opinion that he should run no great Hazard in dissolving the *Oxford-Parliament*, reckoning that he had a Party in the Kingdom strong enough to resist and even subdue his Enemies when they should be no longer supported with the Authority of the Parliament. Mean while, to give no Alarm to the Nation by a too hasty Discovery of his Schemes for future Government, he contented himself at present with publishing a Declaration, containing his Reasons for dissolving the two last Parliaments. I shall not insert this Declaration here, because every Reader who remembers what has been said, will easily comprehend wherein the King's Complaints lay. I shall content my self with saying in a Word, that the King supposed as undeniable, that he had no other Aim than the Good of his People, and that the House of *Commons* actuated by a Spirit of Cabal and Sedition, only sought to shake the Foundations of Monarchy, and invest themselves with Arbitrary Power, by all their Proceedings, which he largely set forth. He positively declared that no Irregularities in Parliaments should ever make him out of Love with them; that he was resolved to have frequent Parliaments, and to use his utmost Endeavours to extirpate Popery both in and out of Parliament.

Several Libels appeared as well against the Dissolution of the Parliament, as against the Declaration. It was said upon the first, that though the King pretended that he dissolved the Parliament on account of the Votes passed the same Day in an Affair of *Fitz-Harris*, nevertheless the Dutchess of *Mazarine* had published the News at St. *James's* many Hours before it was done. As to the Declaration it was said to be full of Nullities and Irregularities, was of *French Extract*, and had several manifest *Gallicisms* in it, particularly that Expression, *That it was a Matter extremely sensible to us*, a Form of Speech peculiar

1681. to the *French*, and unknown to any other Nation. But the King gave little heed to such Kind of Libels *.

*Blattering
Addresses,*

After the Declaration had been published and read in Churches *¹ by the King's Order, Addresses flowed in from all Parts, approving the Dissolution of the Parliament, and in general the King's whole Conduct. Not content with thanking the King, these Addresses were even filled with Invectives against the House of Commons. One of these Addresses *² being presented at the *King's-Bench* as a publick Libel by the Grand Jury of *Middlesex*, the Court took no notice of it. We may easily judge who they were that presented these Addresses, by what has been said before. They became so much in Fashion, that the meanest Boroughs or Communities feared the Resentment of the Court, if they neglected to address. The King received them all very graciously, and distinguished the Bringers with particular Marks of Favour. But as some of the other Party were willing to venture the presenting Addresses in a contrary Stile, the King either refused or received them with evident Tokens of his Displeasure. Some of the *London Aldermen* and Common-Council presenting an agreeable Address, were received very kindly. But the Lord-Mayor, Recorder, and some others of the Common-Council waiting on him at *Windfor*, with one in a different Strain,

*favouredly
received by the
King.*

*Who dis-
courage
any other.*

* The Answer to the King's Declaration, entituled, *A just and modest Vindication of the Proceedings of the two last Parliaments*, was wrote with great Spirit and true Judgement. It was at first penned by *Sydney*; but a new Draught was made by *Somers*, and corrected by *Jones*. Burnet, p. 500.

*¹ When this Declaration past in Council, the Archbishop of *Canterbury* moved that an Order should be added to it, requiring the Clergy to publish it in all the Churches of *England*. This was looked upon as a most pernicious Precedent, by which the Clergy were made the Heralds to publish the King's Declarations, which in some Instances might come to be not only indecent but mischievous. Burnet, p. 500

*² That from *Norwich*, which ran the highest for the Prerogative.

Strain, were denied Admittance, and ordered to attend the Council, where they received a Reprimand from the Lord-Chancellor. It is pretended nevertheless, that these *Loyal Addresses*, as they were called, expressed the Sentiments of the People in general, though they came but from one of the Parties. But what forms the strongest Presumption that the King himself depended but little upon the People, notwithstanding these numerous Addresses on which so much Stress was laid, is, that he never after durst call a Parliament to the Conclusion of his Reign. A sure Sign that he feared the Elections would not prove favourable to him. For if these Addresses had expressed the Sense of the People in general, what could have hindered the King from calling a Parliament, which to judge from these Addresses must have been devoted to him.

The King was not satisfied with discouraging those who would have presented disagreeable Addresses to him, but moreover silenced and imprisoned the News Writers which were not of his Party, while others had Liberty to publish daily Invectives against the *Whigs* and the former Parliaments.

Shortly after the Dissolution of the Parliament, the King made the Duke of *Richmond*, his Son by the Dutchess of *Portsmouth*, Knight of the *Garter* at nine Years of Age. *Laurence Hyde* Esq; was created Viscount *Hyde of Kennelworth*, and Lord-Chancellor *Finch* Earl of *Nottingham*. Promotions at Court.

Notwithstanding the Vote of the *Commons* on the account of *Fitz-Harris*, he was indicted of High-Treason at the *King's-Bench* Bar, tryed, condemned, and-executed. It is pretended that he confessed to the Chaplain of the *Tower*, that there was a Design laid by the *Protestant-Party* to seize the Person of the King, and imprison him till he had complied with all that should be desired of him, and that he gave a very large Account. Others pretend that this Confession was forged, or only made to save his own Life. Indeed it is not easy to imagine that so many *Protestants*. Fitz-Harris tried and executed.

1681. *Protestants* engaged in this Plot, as it is pretended, would communicate their Designs to an *Irish Papist*. Nor is it less difficult to conceive for what Reason his Execution was hastened, as might have served for an Evidence in this Plot, about which there was no farther Inquiry.

And Oliver Plunket. The same Day that *Fitz-Harris* was executed, *Oliver Plunket* the *Papist* titular Primate of *Ireland*, suffered the same Punishment for a Conspiracy carried on by him with the Court of *France*, for an Insurrection in *Ireland*. Some pretend that he was condemned unjustly, and upon false Evidence. I do not know what there is in it, but from this Time forward no Agreement is to be expected amongst the *Historians* in the relation of the same Facts. They always add some Things of their own with Additions, which plainly discovers the Party they espouse.

The Earl
of Shaftsbury sent
to the
Tower,

and o-
thers.

The Grand
Jury of
London
favourable
to *Protestants*.

Thus much is certain, that the King delayed not long his Vengeance upon some of those who had been against him. The Earl of *Shaftsbury* was sent to the *Tower* the Beginning of *July*. He was from this time called the *Protestant Earl*, in Derision of his having appeared more zealous than any other Lord in support of the *Protestant* Interest, and from hence it may be easily judged to whom he was indebted for this Name. The same Day the King sent to the *Tower* some Persons of a much inferiour Rank, as *Rouse*, *Hayns*, *White*, and one Colledge a Joyner of *London*, who had distinguished his Zeal for the *Whigs*, while that Party had the Protection of the Parliament. He was likewise nick-named the *Protestant-Joyner*, the Word *Protestant* being thus with ridicule applied to all those who were most against the King and the *Papists*. The Partizans of the Court on the other Hand pretend, that the *Whiggish* Party in *London* perceiving that the Court intended to take Revenge upon their Enemies, had found a Way, with the Assistance of *Cornish* and *Betbel*, Sheriffs of *London*, and zealous *Whigs*, to pack Grand-Juries entirely at their Devotion, so that in order to baffle all the Efforts

Efforts of the Court, these *Juries* were to return *Ignoramus* upon all *Bills* brought against any of the Party, therefore they had the Name of *Ignoramus*. But we are not to require any Proofs of this same Supposition. The Historians of the Court-Party content themselves with affirming, as a Thing out of all doubt, that the *Grand-Jury* of *London* was resolved to return *Ignoramus* upon all *Bills* against their Friends; and we must take their word for it, though supported, it seems, only by the Rumours spread among those of their own Party.

However this be, the Court began their Revenge with *Colledge* the *Joyner*, and for that Purpose a *Bill* of Indictment of High-Treason against him was delivered to the *Grand-Jury* of *London*, who, not finding it supported with sufficient Proofs, threw it out with an *Ignoramus*. This caused an universal Joy in *London*, and was looked upon as a Sort of Triumph.

But the Court was resolved not to be baffled, and to have their Revenge upon *Colledge* at any rate. For this purpose, on pretence of certain words said to be spoken by *Colledge* at *Oxford*, he was ordered to be removed thither, and to be tried and condemned there. But not to miss their Aim, as they had done at *London*, the Court sent their Council before-hand, who shutting themselves up with the *Grand-Jury*, suffered them not to stir till they had assured them that they would find the *Bill*. This is at least a Fact which has been often objected, and publickly and openly maintained, without having been denied. Be this as it will, *Colledge* was carried to *Oxford*, and tried at the Assizes there upon the Evidence of *Dugdale* and *Turberville*, who had been the Witnesses in the Tryal of the Lord *Stafford*. It is not possible to read the Particulars of this Tryal, the Partiality of the Judges, of whom *Jefferys* * was one, and the Depositions of

Colledge
indicted of
High-
Treason.
Acquitted.

Removed
to Oxford.

Tryal.

* *Jefferys* was then a Serjeant, and one of the King's Council. The Judges were Chief Justice *North*, Justice *Jones*, Justice *Kaymond*, and Justice *Levinz*.

1681. the Witnesses, without discovering a settled Design for the Ruin of this Man, who was condemned and executed as a Traytor. He died, protesting his Innocence and Ignorance of any Plot but that of the *Popists*. The Passion of the Court against this Man broke out with such Evidence, that he was considered as the first Martyr for the *Protestant Cause*. The Writers, even the most devoted to the Court, dare not charge him with positive Guilt. They content themselves with leaving the Matter uncertain, but not before they have used their Endeavours in an artful Recital, to insinuate into their Readers a Belief that he was not innocent.

Oates
turned out
of White-
hall.

The same Day that *Colledge* was executed, Dr. Oates was by Order of Council turned out of *White-hall*, with a Prohibition to come within the Verge of the Council-Chamber. Indeed he was no longer wanted, at a time when not only the *Popish* Plot in general was ridiculed, but a Design was formed of taking Revenge upon all who had been most zealous to support the Belief of it, and of asserting the new *Protestant* Plot.

New
Sheriffs
and a
Lord-
Mayor.

The time for electing Sheriffs being come, *Pil-kington* and *Shute*, both *Whigs*, were chosen in the Room of *Bethel* and *Cornish*, which were very disagreeable to the Court. But on *Michaelmas-Day* they had the Satisfaction to see Sir *John Moor* an *Addresser*, chosen Lord-Mayor.

At the Sessions held at *London*, *Rouse*, one of those sent to the *Tower* by the King, was charged with High-Treason, and the *Bill* found *Ignoramus*.

The Lord
Shafts-
bury's Bill
not found.

The Earl of *Shaftsbury* met with the like Treatment. The King was passionately desirous to be revenged of this Lord, who had hardly shown him any

Nov. 24.

Regard for some time past. To this end he granted a special Commission of *Oyer and Terminer* to all the Judges of the Kingdom, to sit with the Lord-Mayor and Aldermen at the *Old-Bailey*, on the Earl's Tryal. Eight Witnesses were heard against him, who deposed upon Oath a great many things from his own Mouth,

which discovered pernicious Designs against the King's Person. But the greatest Crime objected against him was, the Draught of an *Association* found in his Study against the Enemies of the King, of the *Protestant* Religion, and of their Country. But notwithstanding all the Hopes the Court had entertained of being rid of this Enemy, the Grand-Jury, consisting of One and Twenty of the principal Citizens of *London*, considering that Paper containing the *Association* was only a Copy writ by another Hand than that of the Earl of *Shaftsbury*, and observing some considerable Improbabilities in the Depositions of the Witnesses, found no sufficient Ground for the *Bill*, and returned it *Ignoramus*. Immediately the whole City testified their Joy for the Delivery of the Earl of *Shaftsbury* by Bonfires in all the Streets, and other Marks of Satisfaction, and the Witnesses against him were in great Danger of being torn in pieces by the Mob.

1681.

The Earl of Shaftsbury acquitted.

Great Joy

Before we close this Year, something ought to be said of the Transactions in *Scotland*, where the Duke of *York*, in quality of Lord High-Commissioner, had opened the Parliament the 28th of *July*. This Parliament, very different from the two last held in *England*, took a quite contrary Course, and passed sundry such *Acts* as the King desired.

Affairs of Scotland.

By the first, they acknowledged that the Crown of *Scotland* had, by inherent Right, by the Nature of Monarchy, by the fundamental and unalterable Laws of the Kingdom, always devolved upon the next in Blood by *Lineal Succession*, and that no Difference in Religion, no Law, no Act of Parliament could alter or divest the Right of Succession and Lineal Descent of the Crown to the nearest and lawful Heirs. This Act made it High-Treason either by Word or Writing to endeavour to suspend, alter, or divert the Right of Succession.

Acts in favour of the King and Royalty.

By the second Act, all former Laws for the Security of the *Protestant Religion* were ratified, as it was presently

An Oath imposed.

1681.

professed in that Realm : by which all the Laws made by James I, Charles I; and Charles II, against Popery, were confirmed. To this Act was annexed a Test and Oath to be taken by all Officers in Church and State *. This Oath was drawn up in such a Manner, that it imposed a Necessity of either Swearing against Conscience, or of being in a Manner cut off from the Society of Men. Wherefore it was refused by the Majority of the Ministers, and a great Number of the Laity. But this was what the Contrivers of the Oath wanted, in order to have Opportunity to persecute and destroy those, who; it was foreseen, would obstruct the Designs of the Court. Scotland was almost reduced to Slavery with regard to the Government. Nothing more was wanting to finish its Ruin, but the Introduction of the Popish Religion; and the Oath lately imposed was to effect this, by putting the greatest Enemies of Popery out of a Capacity to oppose this Design. Archibald Campbell Earl of Argyle, Son of him who was beheaded at Edinburgh, was one of the Refusers of this Oath, unless he might take it with a Reserve of his own Explanation *. But this would not be allowed him by the Duke of York. Indeed these Ambiguities had purposely been inserted to keep the rigid Presbyterians from taking it. At last he was arrested, imprisoned and prosecuted according to the Laws of his Country. His Prosecution was not only for refusing the Oath, but for having dissuaded others from taking it, and for this new kind of Treason he was condemned to lose his Head. It is pretended that the King would have pardoned him; but this is only Conjecture. However, finding a favourable Opportunity for

The Earl
of Argyle
refuses it.

Is imprisoned,
tried, and
condemned.

Makes his
Escape.

* And by all that should be capable of electing, or being elected Members of Parliament.

* See the Case of the Earl of Argyle in relation to the Test or Oath imposed by the Scotch Parliament, p. 151, &c. of *Scot Tracts*, Vol. II.

for his Escape, he got out of the Castle of *Edinburgh*, and withdrew into *Holland*. *

It is clear from what has been said before, that the greatest Part of the *Whig*-Party consisted either of professed *Presbyterians*, or of Men inclined that way, though they made an outward Profession of Religion as established in the Church of *England*. That is to say, the Times of *James I.* and *Charles I.* were returned, when every Man who was not of the Court-Party and a furious *Tory*, was a *Presbyterian*. The King finding his Authority sufficiently established after the Dissolution of the *Oxford*-Parliament, resolved to give the finishing Stroke to the Ruin of his Enemies the *Whigs*, and consequently of the *Presbyterians*. To this End he ordered that the *Non-conformists* should be prosecuted with all Rigour, and thereby came to be known the Reason of conveying away in the House of Lords the *Bill* to repeal the *Act* of the 35th of *Elizabeth*, at the very time that it was going to pass into a Law. For if this *Bill* had not been thus stollen, no Advantage could have been taken a-

1681-2.

The Dissenters are prosecuted.

* When the *Test* was in Debate, *Argyle* spoke zealously against the Clause, whereby all the Royal Family were excepted out of it. He said, the only Danger we could apprehend as to *Papery* was, if the Royal Family should happen to be perverted: therefore he thought it was better to have no *Act* at all than such a Clause in it. For this Reason, when he came to explain himself concerning the taking the *Test* in his own Sense, his Words were construed as a Defaming and a Spreading of Lies of the Proceedings of Parliament, which was capital. Accordingly he was tried and condemned. No Sentence, says *Burnet*, in our Age, was more universally cried out upon than this. All spoke of it, and the Duke who drove it on, with Horrour. All that was said to lessen the Horrour was, that Duke *Lauderdale* had restored the Family with such an extended Jurisdiction, that he was really the Master of all the *Highlands*. This, as the Duke wrote to the King, was all he intended by it, as Lord *Hallifax* assured *Burnet*. Though a Person of Quality, whom Lord *Argyle* never named, affirmed to him, on his Honour, that he heard one in great Favour say to the Duke, The Thing must be done, and that it would be easier to satisfy the King about it after it was done, than to obtain his Leave for doing it. For which reason Lord *Argyle* made his Escape out of the Castle in a Disguise.

1681.

Passive Obedience every where preached up.

gainst the *Presbyterians*. This Order of the King's occasioned a violent Persecution against the Dissenters. Since the Dissolution of the last Parliament, all the Magistrates, Judges, Justices of the Peace, Governours, and Lord-Lieutenants had been changed, and the most violent *Tories* put in their Places. It may easily be imagined with what Joy and Zeal these Men took upon them to execute the Laws against the *Presbyterians*, which had been suspended for some Years. The Clergy of the Church of *England* distinguished themselves signally by their Devotion to the Principles and Maxims of the Court. The Pulpits every where resounded with the Doctrine of *Passive Obedience* and *Non-Resistance*, which was now universally carried to the same extravagant Height as had been done only by a Few in the Reign of *Charles I.* The Clergy seemed to make it their Business to surrender up to the King all the Liberties and Properties of the Subject, and to leave them nothing for their Share but an unlimited Obedience. According to the Principles which they publicly preached, no *Eastern* Monarch was more absolute than the King of *England*. This Doctrine was supported in the Courts of Justice by all the Judges and Lawyers to the utmost of their Power. This opened the Way to infinite Petitions and Addresses, in all which the Association and the Principles from which it flowed, were detested with the greatest Abhorrence. This Association which had raised so great a Persecution against the Dissenters, was after all a mere Chimera and had no other Proof but the Paper found in the Earl of *Shaftsbury's* Closet, without its being so much as known whether it was an Original Draught, or only a Copy. But any One's Thinking of associating the Subjects against the King, was sufficient Ground according to the then Current Principles, to charge the whole *Whig-Party* as guilty of the greatest Crime imaginable. I shall not transcribe these Addresses. It suffices to say in a Word, that they supposed the King of *England* as absolute as it is possible to devide
 The

Thus the furious *Tories*, who then prevailed in all the Corporations, not satisfied with persecuting the *Presbyterians*, pushed their Zeal still farther, by making the King an Arbitrary and absolute Monarch, as if no other Expedient could save the Church of *England* from the Attempts of the *Presbyterians*. 1681-2.

The Duke of *York* returned from *Scotland* about the Beginning of *March*, and was received by the King with all possible Signs of Affection. At the same Time came a Letter to the King from *Scotland*, signed by seven Bishops, full of the Duke of *York*'s Praises, and of the Happiness which the Church of *Scotland* enjoyed under his Administration. So that it was not the Fault of these Prelates, that the Duke, though the most zealous Bigot to the *Papish* Religion, was not respected as the Principal Support and Protector of the *Protestant* Church. *The Duke of York returns.*

After two Month's Stay in *England*, the Duke went back to *Scotland* to bring up his Family. He went thither by Sea; but by an unexpected Accident, his Ship, though the Weather was fair, struck upon the Sand, and in a very little Time had above seven Foot of Water in the Hold. This obliged him to put off in his Pinnace, with as many of the best Persons as it would hold, and to save himself on Board the *Mary Yatcht*. It is pretended that he himself named the Persons whom he would have in the Boat with him, and that some Priests and *Jesuits* were preferred to several Persons of Quality who were unfortunately drowned, with one Hundred and Thirty Seamen, the Ship sinking soon after the Duke put off. But I will not vouch for the Truth of this, and it is perhaps only a Report spread by his Enemies *. The Duke 1682. *Goes back into Scotland, and runs a great Danger.*

X 4

made

* *Burnet* says, the Duke got into a Boat, and took care of his Dogs, and some unknown Persons, who were taken, from that strict Care of his, to be his Priests. The Long-Boat went off with very few in her, though she might have carried off above thirty more than she did, p. 523. What makes this Account probable in the main, is that the following Persons perished with the rest,

1682.
Returns
back to
England,
where he
grows very
powerful.

made but a short Stay in *Scotland*. He returned a few Days after for *England*, where he continued the Rest of this Reign with great Influence upon the Affairs of the Court and Counsels of the King his Brother. To this Influence is ascribed generally the Rigour with which the King treated his Enemies the remaining Part of his Reign. On this Occasion a Story is told of the King, that seeing himself one Day importuned by the Duke to an Undertaking which he thought too full of Danger — *Brother*, said he, *I am resolved never to travel again; you may do so if you please.*

Pamphlets
against the
Gentry.

Though the Support of the Court and of the Magistrates, gave the *Tory-Party* all Advantage, the *Whigs* however were not disheartened, being in hopes of bringing about some Revolution, by daily representing to the People, the Danger they were in from the Court. Pamphlets upon this Subject were numberless, and every Day gave Birth to new ones, either to attack or defend. That which made the greatest Noise was, *The Life of Julian the Apostate*, in which a Parallel was drawn between that Prince and the Duke of *York*. The Necessity of the Exclusion was there laid open, and the Doctrine of *Passive Obedience* and *Non-Resistance* exploded as *Mahometan*. This Book did only irritate the Patrons of *Passive Obedience*. They took Occasion from thence to carry the Doctrine so high, that when in the Reign of *James II.* Restrictions became necessary, they knew not how to go about it; and many even persisted in supporting this Doctrine, rather than own they had been in the wrong to carry it to such a Height.

A Remark
upon the
Doctrine
of Passive
Obedience.

To make appear that it was at the Time I am speaking of, that the Doctrine of *Passive Obedience*, had, if not its Rise, at least its greatest Flight, we have

rest, the Earl of *Roxborough*, the Lord *Obryan*, the Laird of *Hopson*, Sir *Joseph Douglass*, Lieutenant *Hyde* the Duke's Brother-in-Law. The Duke, says *Burnet*, took no notice of this cruel neglect, which was laid chiefly to *Leg's* Charge.

have only to reflect that the second Parliament of this Reign, though composed for the most Part of rigid Church of *England*-Men devoted entirely to the King, after having by *Act* established such Principles as led naturally to *Passive Obedience*, made no Scruple to stop short when they saw the Court making use of their Compliances to introduce an Arbitrary Government. This shows that their Intention was not to establish such a Government. But in 1682, the Time I am speaking of, these Principles were not only preached but practised, and the King was thanked in publick and solemn Addresses, for having established an absolute Government. The Pulpits rang with *Passive Obedience* Doctrine, which was enforced from the positive Declarations of God, and all the Magistrates emulously strove to reduce this Doctrine to Practice, The *Whigs* on their Part in their Attacks of these strange Opinions, threw themselves into the other Extreme, and this gave their Enemies Room to accuse them as the Subverters of Monarchy. In short, a Kind of an Infatuation had seized the Kingdom, and each Party instead of coming to any Temper, furiously embraced whatever was most contrary to the other.

The Animosity against the *Whigs* was carried to that Excess, that even in the Administration of Justice, the Judges forgot common Decency. The Earl of *Shaftsbury* having brought an Action of *Scandalum Magnatum*, against one Mr. *Craddock*, the Defendant's Council alledged, " That there was no Probability of a fair Tryal by a *London-Jury*, by reason that the Earl was of the *Skinners*'s Company, of which Sheriff *Pilkington* was Master, and that therefore the *Jury* ought to be taken from some other Place." The Court of *King's-Bench* found this Exception so just, that it was ordered, " That unless the Earl would consent to try his Cause by a Country-*Jury*, it should not be tried in *London*." I know not whether any such Exception had ever been known or admitted before. Party-Rage appeared in all private

Great Rage
against the
Whigs.

1682.

vate Affairs, so that Judgements were formed not according to the *Right*, but the *Principles* of the Parties.

The Mayor and Sheriffs of London elected by the Influence of the Court.

Though the *Whigs* were kept under in all other Parts of the Kingdom, yet they still preserved their Superiority in *London*, and had almost all the Magistrates on their Side; but they were not long suffered to enjoy this Advantage. *Moor*, the Lord-Mayor, who had been one of the *Abhorrrers*, and was in the Interests of the Court, started great Difficulties upon the Election of the Sheriffs, and afterwards upon that of the Mayor, who was to succeed him; and, supported by the Privy-Council, prevailed, partly by Force, and partly by Consent, to have new Sheriffs, and a new Mayor elected of the King's Party. This was a Victory for the Court, and the Earl of *Shaftsbury* was so sensible of it, that seeing himself deprived of the Succour of the City of *London*, he avoided the Storm, which was gathering against him by a timely Retreat into *Holland*. It was remarked of this Earl, that he saw himself obliged to fly to the Protection of a Republick, to whom when he was Chancellor, and one of the *Cabal*, he had applied that Saying of *Cato*, *Delenda est Carthago*—He enjoyed his Retirement but a short Time, and died six Weeks after his Arrival in *Holland*.

The Earl of Shaftsbury escapes into Holland.

A Design against London and other Corporations.

The Court having got a Mayor and Sheriffs of *London* at their Devotion, suffered not the Opportunity to be lost, but came to a Resolution, which the Compliance of the Magistrates inspired them with, of resuming the Charter of *London*, and afterwards of all other *Corporations* in the Kingdom. But this Design was not executed until the next Year.

In the mean Time the Lord-Mayor and the Sheriffs of *London*, were very active against the *Presbyterians*, and executed the Laws with great Severity. And to recommend themselves the more to the Court, they prevented the burning of the Pope, as had been customary on the 17th of *November* *.

The

* Queen Elizabeth's Day,

The Duke of York laying hold of so favourable an Opportunity, brought his Action against the late Sheriff *Pilkington* for these Words, spoken by the Defendant, *The Duke of York has fired the City, and is now come to cut our Throats.* The Jury found for the Duke, and gave him One Hundred Thousand Pounds Damages: To such Height was Party-Rage carried.

1682.
Pilkington
fined for
Words spoken
against the
Duke of
York.

Before we finish the Events of this Year 1682, which was distinguished with nothing memorable, except the Prosperity of the Court and the *Tories*, the Downfall of the *Whigs*, and the Persecution of the *Presbyterians*; I shall relate some other Things which happened this Year.

First, The Murder of Mr. *Thynne*, almost in the Heart of the City, by Count *Coningsmark*, for which his Footman was hanged. As this is a private Affair in which the Publick has no Concern, I shall say no more of it.

Mr.
Thynne
murdered.

This Year the King received two extraordinary Ambassies, one from the King of *Fez* and *Morocco*, the other from the King of *Bantam* in the Isle of *Java*.

Ambassies.

This Year died Prince *Rupert* Count *Palatine* of the *Rhine*, who has been so often mentioned in the foregoing Reign, 63 Years of Age: The Duke of *Lautberdale*, *Heneage Finch* Earl of *Nottingham* and Lord High-Chancellor, and the Earl of *Shaftsbury*.

Deaths.

On the other Hand, the King created several Peers, amongst the rest, the Duke of *Ormond*, an *Irish* Duke, was promoted to the same Dignity in *England*.

Promotions.

Lastly, The Earl of *Sunderland* was restored to the Office of Secretary, upon the Resignation of the Earl of *Conway*.

The King having had no extraordinary Supplies from his Parliament for some Years, it would be astonishing that he could at once have become so good an Oeconomist, as to live upon his ordinary Revenues, if it had not afterwards appeared, that he had contracted a great many Debts, and by this Means supplied in Part the Want of the Aids of Money; which,

1682-3.

The King
runs in
Debt.

1682-3.

*Reasons
which hin-
dered the
King from
calling a
Parlia-
ment.*

which, on one Pretence or other, he had used to draw from his Parliament. The Court went on in their old Way without any Appearance of a Design to use their new Power for raising Money upon the Subject. It may seem strange that the King, in his present Situation, did not summon a Parliament as well to repeal what had been done against him, by the preceeding Ones, as to get a Supply of Money. Pretences could not be wanting. This was not the Difficulty he lay under. But it seemed that the Multitude of Addresses, which still continued to flow in, gave him no sufficient Grounds to confide in the Affection of his People, and that he was still afraid of trusting to Elections. Indeed these Addresses came but from one Party, and the King well knew that it was possible for him to receive such from all the *Corporations in England*, without any Incouragement for all that, to rely on the general Affections of his Subjects. But as Foreigners may not understand this, I shall explain the Matter in few Words.

England is almost all divided into Communities called *Corporations*, which have each of them Privileges obtained from Princes on certain Conditions. There is hardly a Town of any Figure, which has not its Magistrates and Laws as a *Corporation*. The Mayor or Head of the *Corporation*, the Aldermen, the Recorder, and other principal Officers are elected either by the whole *Corporation*, or a certain Number of Citizens. It is easy therefore to apprehend that the prevailing Party may, without Difficulty, form a *Common-Council* of their own Principles, and it is this *Common-Council* which manages the Addresses offered to the King in the Name of the whole Community or *Corporation*. In which ever of the Parties, the Superiority in the *Common-Council* lies, it is sufficient for that Party to draw up an Address, and then make use of the Names of the whole *Corporation*, though all the rest are of a contrary Sentiment. But a different Way of proceeding is made use of in Elections of Members to serve in Parliament. Here every

every *Burges*, every *Freeholder* has a Right to give his Vote, and consequently it may very well be, that Members may be returned, who are not in the Principles of the Magistrates and Common-Council. This Consideration probably prevented the King's calling a new Parliament, for fear he might not find his Account in it. For the same Voters who had returned the two last Parliaments, would have sent up a Third, which was very unpromising to the Interests of the Court. The Court therefore came to a Resolution of resuming all Charters and Grants to *Corporations*, and to grant new ones drawn up in such Forms, that it was in a Manner left to the King to name Representatives. It may be affirmed, that there was no readier or more effectual Way to invade at once the Liberties of the Nation, and bring the Parliament itself to approve of the same.

Until every Thing should be in a Readiness for the Execution of this Design, or some favourable Occasion offer, the King resolved to take the Diversions of *New-Market*. He had scarcely been there six Days when a Fire broke out in the Town, with such Violence that he was obliged to return to *London* some Days sooner than he designed. It was pretended afterwards that, during his Stay there, a Plot was laid against his Life, which was to be executed at *New-Market*, and that the Blow was prevented by the sudden Return of the King, occasioned by this Fire. This Accident was afterwards ascribed to a particular Providence watching over the King's Person in this Time of Danger.

The King designing a Revenge upon the late Magistracy of *London*, which had all along opposed him for some Years, issued out a Commission for the Tryal of the *Rioters* at the Election of *Sheriffs* the last Year; this, in the Commission, was called a *riotous and unlawful Assembly*, and represented in Colours as odious as a Thing of such little Moment could admit of—Fourteen Aldermen and substantial Citi-

zens,

The King goes to New-Market.

A Fire obliges him to return to London.

1683.
Several Aldermen tryed for a Riot.

1683.

work should be capable of, or admitted to the Exercise of their respective Offices, before his Majesty should have approved them under his Sign *Manuſcript*.

2. That if his Majesty should disapprove the Choice of any Person to be Lord-Mayor, &c. the Citizens should, within one Week, proceed to a new Choice : And if his Majesty should in like manner disapprove the second Choice, his Majesty should, if he pleased, nominate a Person to be Lord-Mayor for the ensuing Year.

3. The same with Regard to the Sheriffs.

4. The Lord-Mayor and Court of Aldermen might also, with the Leave of his Majesty, displace any Alderman, Recorder, &c.

5. Upon the Election of an Alderman, if the Court of Aldermen should judge and declare the Person presented to be unfit, the *Ward* should chuse again ; and upon a Disapproval of a second Choice, the Court might appoint another in his room.

6. The Justices of the Peace were to be by the King's Commission ; and the settling of these Matters to be left to his Majesty's Attorney and Solicitor-General, and Council learned in the Law.

By these Articles the King, it is evident, was absolute Master of the City ; and by thus restoring its *Charter*, he effectually deprived it of its chiefest Privileges.

*The City
accepts
them.*

Two Days after the Common-Council met, and carried it for a Submission to the King by a Majority of Eighteen Voices. The Historians of the King's Party handle this Affair very slightly, pretending that the City was justly punished for its great Provocations given to the King of late Years. But as the Conduct of the King and Court, which gave occasion to these Provocations is not taken Notice of by them, so the whole Blame falls upon the City.

We are at last come to the *Protestant Plot*, that is to say, a Plot pretended to be carried on by *Protestants* against the King and the Duke of *York*. But as naturally, it is something hard to conceive how the Term *Plot* can be properly applied, in a *Protestant Country*, to Designs of *Protestants* against *Papists*, and as some Men love to remove the Idea of the King and Duke of *York's* being *Papists*, they have rather chose to give to this Plot, the Name of the *Rye-House-Plot*, from a House * so called, in the Road to *New-market*, where it is pretended, the Conspirators had projected to kill the King and Duke. I must not conceal that as the foregoing Conspiracy called the *Papish Plot* was then, and is still, looked on by the Partizans of the Court as a Fiction; This had the same Fate amongst those who were, or still are of the contrary Party. We are therefore to be very much upon our Guard, when we read the History of this Conspiracy, since Historians are entirely divided, one representing as false, what another asserts as true. Would they content themselves with a Recital of bare Facts, and only advance such as can be proved, and omit others which cannot, and let us know what Facts are or are not doubtful, the Reader might be able to form some Judgement. But their Accounts are artfully labour-ed to pre-possess the Reader. A Thousand Things are insinuated which have no Foundation but in their System. The Witnesses are either Knaves or honest Men, as is most convenient for them. The Conspiracy in their Recitals is supposed true or false at Pleasure. Numbers of Circumstances are inserted to serve their Purpose, without the least Proof or Authority offered in support of them. So that the Reader, who aims only at Truth, finds himself at a loss, it being impossible to enter into a particular Examination of so many opposite Things: Impartial Readers

* *Rye-House* lies within two Miles of *Hodsdon* in *Hartfordshire*, and was then inhabited by *Richard Rumbold*.

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content themselves with leaving the Matter undecided, because they see no Proofs strong enough to determine their Assent either way. Others prejudiced in Favour of one or other of the Parties, or through Laziness or Indifference, go blindly into the Sentiments of their Historian, or as groundlessly reject them.

To avoid therefore as much as in me lies the committing the Faults which I condemn, I shall suppress all Insinuations of the Historians of both Parties, and confine my self to the Depositions and Defences of the accused Persons, without giving one Circumstance which is not owned on both Sides.

This Year, on the 12th of *June*, *Josias Keeling* made a Discovery of the Conspiracy, whether real or pretended, to the Lord *Dartmouth*, and Mr. Secretary *Jenkins*, and before them made open Confession of the whole Matter, and subscribed his Depositions. But considering that his single Intelligence was not sufficient, he prevailed upon *Goodenough* that his Brother *John Keeling* might be admitted into the next Meeting of the Conspirators. This was done, and thereupon both the Brothers gave in their joint Testimony upon Oath on the 14th of *June*.

It is to be observed, that this Circumstance of the Admission of *John Keeling* into the Secrets of the Plot, supposes manifestly that there was one. Accordingly it is only produced by those Historians who believe the Reality of the Plot.

In the second Place, the Discovery of the Plot being made by *Josias Keeling* the 12th of *June*, and the Deposition of the two Brothers being given in the 14th, it follows, that according to the first Supposition, *John Keeling* had no more than one Day to make himself acquainted with the Secrets of this Plot.

According to *Keeling's* Deposition the Plot consisted of three Articles. 1. The Conspirators designed to secure the King's Guards; but how this was to be executed is not sufficiently clear; then to block up

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up or besiege *Whiteball*, and seize the Persons of the King and Duke of *York*. 2. To assassinate the King and the Duke in a hollow Way near the *Rye-House*, in their Return from *New-market*. 3. To cause a Rising in *London*, and other Places of the Kingdom. But *Keeling* deposed only against Persons of mean Rank and Figure.

Upon this Deposition, the King published a Proclamation for apprehending Colonel *John Ramsay*, *Richard Rumbald* Maltster, *Richard Nelson* Esq; *Edward Wade* Gent. *Richard Goodenough* Gent. Captain *Walcot*, *William Thompson*, *James Barton*, and *William Hone*; for any of which a Hundred Pounds was offered to the Discoverer. Upon this Proclamation Colonel *Ramsay* surrendered himself the next Day; and being examined before Mr. Secretary *Jenkins*, he confessed all he knew; which Confession was next Day confirmed by two others, Mr. *West*, and Mr. *Sheppard*: So that on the 28th of *June* there came out a second Proclamation, for the apprehending *James Duke of Monmouth*, *Ford Lord Grey*, Sir *Thomas Armstrong* Knight, and *Robert Ferguson*. We are told, That when the Warrants were delivered to *Legat* the Messenger, to seize *Ferguson* with the rest of the Offenders, Mr. Secretary *Jenkins* gave *Legat* a strict Command not to take him, but to shun him where-ever he met him. Shortly after the Lord *Howard of Esrick* came in; and upon his Information, Warrants for High-Treason were issued out against the Earl of *Essex*, the Lord *Russel*, and others, who were taken up accordingly.

This Discovery brought Addressees from all Parts *Addressees* to congratulate the King. The Ambassadors of foreign Princes paid the same Compliment, and the King of *France* offered Five Hundred Pistoles for the Apprehension of *Monmouth*, *Grey*, *Armstrong*, and *Ferguson*.

The Prisoners were not suffered to lie long in Prison. *Walcot* was first brought to his Tryal the 12th of *July*, and against him, *Walcot's Tryal*.

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 Ramsey's Evidence. " Ramsey first swore, " That the Prisoners came to *West's* Chamber, where the Deponent was present, " when a List was brought of the Assassines, and " agreed to join with them, intending to command " a Party to charge the Guards ; That he undertook to go and view *Rumbald's* House, and bought a Horse for that Purpose : That he was present at the dividing *London* into Twenty Parts, in order to an Insurrection ; and at the Consult for buying of Arms after the Disappointment at the *Rye-House* : That he was at the Meeting for carrying on the Conspiracy on *Thursday* before the Discovery ; and that after it, they met at Captain *Tracy's*, *Walcot's* own Lodging, the Deponent being present."

Keeling's. Keeling deposed, " That *Walcot* was at the Trayterous Assembly at the *Salutation-Tavern*, where the Deponent was called *Gulick*, and a Health drunk to the *English Gulick* ; *West* declaring that *Gulick* in *Dutch* was *Keeling* in *English*, adding, *he hoped to see Keeling at the Head of as good an Army at Wapping, as they heard one Gulick was then at Cologne.*"

Bourn's. Bourn swore, " That *Walcot* used to come to *Ferguson*, when he lodged at his House ; and that he and several others met at the *Dragon* on *Snow-Hill*, and often at other Places, in order to raise Men, and divide the City into Twenty Parts, for securing the King and the Duke : That almost every Time they met, at least three Times, the Prisoner at the Bar was there : That he was at the last Meeting at *Tracy's*, where they debated of *standing with Sword in Hand, and of killing Keeling for making the Discovery.*"

West's. *West* testified, " That the Prisoner, upon the Election of the *London Sheriffs*, asked him, *Will the People do nothing to secure themselves ?* And acquainted him with the Insurrection then designed within three Weeks or a Month : That the Earl of *Shaftsbury* was in the Design, and had engaged
 I " the

“ the Prisoner : That he had an Expectation of being a Colonel of Horſe ; asking the Deponent, *Whether he would have any Command under him ?* That upon his Refuſal, he deſired him to lend him a Suit of Silk Armour : That the ſaid *Walcot* told him of ſeveral Deſigns to attack the King and the Duke : That in the Buſineſs of the *Rye-Houſe*, he undertook to command the Party that was to ſet on the Guards.”

Befides theſe Witneſſes, there was a Letter produced, under *Walcot's* own Hand, to Mr. Secretary *Jenkins*, in which he ſaid, “ That he was ready to diſcover to his Maſteſty all that he knew in *England, Scotland, and Ireland*, which might be ſomething more than the firſt Discoverer could acquaint him with, eſpecially as to *Ireland* : That his Intimacy with a *Scotch* Miniſter, through whoſe Hands much of the Buſineſs paſſed, occaſioned his knowing very much, &c.” *Walcot's Letter produced.*

Walcot's Defence conſiſted, Firſt, of a plain Denial of having any Hand in the Aſſaſſination ; ſaying, “ He knew well enough, if he had undertaken to charge the Guards, while others killed the King, he was equally guilty with thoſe that killed him ; but that he was ſick of the Gout during the Meetings, while the King was at *New-market*.” To this *Weſt* replied, “ That he remembered it very well, by a good Token, that the Priſoner himſelf ſaid, *He was afraid when the Time came, he ſhould not be able to draw on his Boots.*” *Walcot* added, “ That he came accidentally to their Meetings only to hear News. That what he had promiſed to diſcover, he had only heard from *Ferguson*.” In Concluſion, the Jury brought him in guilty of High-Treaſon. *Walcot's Defence. He is condemned.*

Thoſe who think this Plot was only an Artifice of the Court to deſtroy their chief Enemies, have remarked, that the Depoſitions of the Witneſſes againſt *Walcot*, and the other pretended Conſpirators, *A Remark upon this Tryal.*

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go upon Supposition that there was a real Plot to seize the King's Guards, assassinate him and the Duke of *York*, and make an Insurrection; and upon a previous Narrative of this pretended Conspiracy, supposed to be undeniable, to which the several Depositions were adjusted, before the Reality of the Design was proved.

In the second Place they say, that the Parts of these Depositions hang not well together: For by them the Conspirators must have had two Designs, one to secure the Person of the King for his Consent to their Proposals, the other to assassinate him; Designs which cannot possibly subsist together.

The contrary Party to this, reply, That it being proved by the Depositions of the Witnesses, that the Persons accused had assisted at such and such Meetings, where the King's Assassination was the Subject of the Discourse, and other Things talked of relating to the Design, the Supposition was proved with sufficient Clearness.

*Trial of
the Lord
Russel.*

I shall take no Notice of the Tryals of Persons of inferior Distinction, but confine my self to that of the Lord *Russel* Son to the Earl of *Bedford*. This Lord being one against whom the Court was most incensed, because it was he who had proposed the *Exclusion-Bill* in the House of *Commons*, and carried it up to the House of *Lords*. He was brought to his Trial the 12th of *July* at the *Old-Bailey*, before Eight Judges. He was very urgent for one Day longer for his Trial, because he had Witnesses that might come before Night, but he was over-ruled. He then urged to have his Trial deferred to the Afternoon, but with no better Success. Three Witnesses deposed against him, Colonel *Ramsley* the Evidence against *Walcot*, Mr. *Sheppard*, and the Lord *Howard of Esrick*,

Ramsley's Deposition. "1. The Colonel deposed, " That in the End of *October*, or in the Beginning of *November* 1682, " there met at Mr. *Sheppard's* House in *Abchurch-Lane*,

“ *Lane*, the Duke of *Monmouth*, the Lord *Grey*,
 “ the Lord *Ruffel* the Prisoner, Sir *Thomas Arm-*
 “ *strong*, and *Robert Ferguson* : That the Earl of
 “ *Shaftsbury*, desired him to go to them thither, to
 “ know what Resolution was taken about the Ri-
 “ sing at *Taunton* ; that he did go, and Mr. *Shep-*
 “ *pard* carried him up where they were, and he de-
 “ livered his Message. That the Answer was, Mr.
 “ *Trenchard* had failed them ; and there could be no
 “ more done in the Matter, at that Time : That there
 “ was at the same Time a Discourse by all the Com-
 “ pany, about seeing what Posture the Guards were
 “ in, that they might know how to surprize them :
 “ That some of them undertook to go and see :
 “ That the Lord *Ruffel* in particular did speak a-
 “ bout the Rising, and gave his Consent to it.”

2. Mr. *Sheppard* testified, “ That in October last, *Shep-*
 “ *Ferguson* requested of him, in the Duke of *Mon-* *pard's De-*
 “ *mouth's* Name, the Conveniency of his House, for *position.*
 “ the Meeting of some Persons of Quality ; and
 “ that the same Day in the Evening, the Duke of
 “ *Monmouth*, the Lord *Grey*, the Lord *Ruffel*, Sir
 “ *Thomas Armstrong*, and *Ferguson* came ; that they
 “ desired to be private, and none of his Servants to
 “ come up : That their Discourse was how to sur-
 “ prize the Guards : That the Duke of *Monmouth*,
 “ the Lord *Grey*, and Sir *Thomas Armstrong*, went
 “ one Night to the *Mews* to view them : That the
 “ next Time they came, *Armstrong* said, the Guards
 “ were remis, and the Thing was feasible : That
 “ they had two Meetings of this kind at his House ;
 “ that in one of them something was read by *Fergu-*
 “ *son* in the Nature of a Declaration, setting forth
 “ the Grievances of the Nation in order to a Rising :
 “ That he could not positively say, that the Lord
 “ *Ruffel* was there when it was read ; but the said
 “ Lord, the Prisoner, was there when they discour-
 “ sed of seizing the Guards.”

Next the Lord *Howard* began his Testimony, *The Lord*
 with a long Story about the Plot in general, which *Howard's*
 seemed *Deposition.*

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seemed to be designed only to exasperate the Jury ; after which he deposed to this Effect : “ That after
 “ the Earl of *S Shaftsbury*’s Flight, the chief Persons
 “ concerned in the Conspiracy, in his Time, began
 “ to consider, they had gone so far, that it would be
 “ unsafe for them to make a Retreat ; and that in
 “ so great an Affair, consisting of so many Particu-
 “ lars, which was to be managed with so much
 “ Niceness, it would be necessary to have some se-
 “ lect Council ; and that therefore they resolved to
 “ erect a *Cabal* among themselves, which usually
 “ consisted of six Persons, the Duke of *Monmouth*,
 “ the Earl of *Essex*, the Lord *Russel*, Colonel *Sid-*
 “ *ney*, Mr. *Hambden* junior, and the Deponent ; and
 “ this was about the middle of *January* last. They
 “ met at Mr. *Hambden*’s House, where it was pre-
 “ sently agreed, their proper Province was to take
 “ Care of the Insurrection : That the chief Things
 “ they debated were, *Whether that Insurrection should*
 “ *begin first in London or the Country ; then, what*
 “ *Counties and Towns were fittest, and most ready for*
 “ *Action ; then, what Arms were to be got, and how*
 “ *to be disposed ; then, that it was necessary to have a*
 “ *common Bank of Twenty-five, or Thirty Thousand*
 “ *Pounds, to answer the Occasions of such an Under-*
 “ *taking ; but that the greatest Point was to order it*
 “ *so, as to draw in Scotland into a Consent with them ;*
 “ because it was requisite that all Kinds of Diver-
 “ sion should be given to the King’s Forces. That
 “ about ten Days after, every one of the same Persons
 “ met again at the Lord *Russel*’s House : That they
 “ then came to a Resolution of sending some Persons
 “ to the Earl of *Argyle*, to settle the Correspondence
 “ with him, and that a Messenger should be dispatch-
 “ ed into *Scotland* to invite some *Scotch-Men* hither ;
 “ who best understood the State of *Scotland* ; to give
 “ an Account of it : That the Persons determined
 “ to be sent for were Sir *John Cockram*, the Lord
 “ *Melvil*, and one of the Name of *Campbel* : That
 “ Colonel *Sidney* was intrusted to take Care of a Mes-
 “ senger ;

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“ fenger ; and he told the Déponent, he had sent
 “ *Aaron Smith* ; then they agreed not to meet again
 “ till the Return of the Messenger, who was gone
 “ about a Month before they heard any Thing of
 “ him : That all this Debate at the Lord *Ruffel*’s
 “ went without Contradiction, *all there present giving*
 “ *their Consent* : That as for raising of Money, eve-
 “ ry one was put to think of such a Way, that Mo-
 “ ney might be collected without giving Cause of
 “ Jealousy. That after all this, the Deponent met
 “ no more with them ; but when he returned out of
 “ the Country, he was informed that *Aaron Smith*
 “ was come back, and that Sir *John Cockram* was al-
 “ so come to Town.”

To all this the Lord *Ruffel* made Answer, “ That
 “ he could not but think himself mighty unfortu-
 “ nate to stand charged with so high a Crime, and
 “ that intermixed with horrid Practices and Speeches
 “ of other People, while the King’s Council took all
 “ Advantages to heighten Things against him. That
 “ he was no Lawyer, and a very unready Speaker,
 “ and altogether a Stranger to Things of this Na-
 “ ture : That he was sensible he was not so provi-
 “ ded to make his Defence, as otherwise he should
 “ do, but he thought the Gentlemen of the *Jury*
 “ were Men of Conscience, that valued innocent
 “ Blood, and hoped they would consider the Wit-
 “ nesses, that they swore to save their own Lives :
 “ That the two Times they met, was upon no form-
 “ ed Design, only to talk of News and Things in
 “ general : That the Lord *Howard* having a voluble
 “ Tongue, they delighted to hear him Discourse :
 “ That he knew of no such Council as six chosen,
 “ for who should chuse them ? As to Colonel
 “ *Ramsay*, He was notoriously known to have been
 “ highly obliged to the King and the Duke ; and it
 “ was strange he should be capable of such a Design
 “ as to murder the King : That the Time was e-
 “ lapsed by the 13th of the King, which limits Pro-
 “ secution to six Months : Neither was the Design
 “ of

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“ of levying War, Treason, unless it appeared by
 “ some *Overt-Act*.” And asking upon what Statute
 he was indicted, he was told, “ The Statute of the
 “ 25th of *Edward the Third*.” Upon which he in-
 sisted upon a Matter of Law, and particularly,
 “ That the Business at Mr. *Sheppard's* House was
 “ sworn to only by one Witness.” To which he
 was answered, “ That if there were one Witness of
 “ one Act of Treason, another of a Second, and a-
 “ nother of a Third, that manifested the same Trea-
 “ son, it was sufficient.”

For a further Defence of his Lordship, there ap-
 peared for him the Duke of *Somerſet*, the Earl of
Angleſey, Mr. *Edward Howard*, the Lord *Cavendiſh*,
 the Lord *Clifford*, Doctor *Tillotſon*, Doctor *Burnet*,
 Doctor *Cox*, Doctor *Fitz-Williams*, Mr. *Lutton Gore*,
 and Mr. *Spencer*. Some of theſe testified that the
 Lord *Howard*, before he was taken, declared, “ He
 “ believed the Lord *Ruffel* Innocent, and knew no-
 “ thing againſt him.” Others ſpoke to his Lord-
 ſhip's private Character, and declared his great Worth
 and Probity, his virtuous and ſober Life, and confe-
 quently the Improbability of his being thus engaged.
 But this was turned againſt him by the King's Coun-
 cil, who ſaid, that there could not be any more dan-
 gerous Enemies to a State, than ſuch as come ſober
 to endeavour its Deſtruction.

As to what concerned the Lord *Howard's* ſaying
 he believed the Priſoner Innocent, it was answered
 by that Lord himſelf, who confeſſed, “ He had ſaid
 “ ſo, being then himſelf not accuſed, ſo that he in-
 “ tended to out-face the Thing both for himſelf and
 “ the Party; but now, his Duty to God, the King,
 “ and his Country required it, he muſt ſay the
 “ Truth; and that though the Council of Six were
 “ not choſen by any Community, yet they did erect
 “ themſelves by mutual Agreement one with another
 “ into that Society.”

In

In Conclusion, the *Jury* brought him in Guilty of High-Treason *. This Sentence was considered by all who had any Sense of Shame left, as the most crying Injustice that ever had been known in *England*. For the Lord *Ruffel* was condemned for Words spoken in his Presence, which in *England* was never understood to be Treason. The Lord *Howard* lost his Reputation for being an Instrument of this Injustice, to that Degree, that he was looked on with Horror by honest Men, who avoided the Company whenever he came in, as ashamed or afraid to be seen with him. Some say, that he had made his Peace with the King a little before, by the Mediation of the Dutchess of *Portsmouth*, and by an Engagement to serve as a Witness against the pretended Conspirators.

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He is condemned.

But that which was believed to have very much influenced the *Jury* to bring in the Lord *Ruffel* guilty, was, that in the very Time of his Tryal, the Earl of *Essex* Prisoner in the *Tower* was found dead in his Chamber, with his Throat cut from Ear to Ear with a Razor. This News was immediately brought to the *Old-Bailey*, and communicated to the Judges, and Council, who from thence took Occasion to insinuate to the *Jury* the Reality of the Plot, since the Earl of *Essex* rather chose to lay violent Hands on himself than to stand a Tryal.

The Earl of Essex found with his Throat cut in the Tower.

Though the Coroner's Inquest, after an Examination of the dead Body, found the Earl *Felo de se*, this was not capable to remove the Suspicion entertained by most People, that this Fact was committed by the Orders of the King and Duke, who were in the *Tower* that very Morning, though they had not been there for twelve Years before. It was besides urged, that it was not possible for a Man to cut his own Throat from Ear to Ear. Several other Circumstances were added,

The King and the Duke suspected of this Murder.

* Upon which he received Sentence, and was accordingly beheaded, on the 21st of July, on a Scaffold erected in *Lincoln's-Inn-Fields*.

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added, of which it is not easy to discover the Truth. It is pretended that in the Blood sprinkled on the Floor of the Chamber, were discovered the Marks of a strange Foot; and that after the Deed was done, the Razor was thrown out of the Window, and pickt up by a little Girl. That before the Coroner came to inspect the Body, Care was taken to strip and leave it naked, and to wash the Room. That the Coroner demanding to see the Cloaths, was answered, it was his Business to examine the dead Body, and not the Cloaths. What has been urged most plausible in Vindication of the King and Duke of York from this horrid Action, is, that Persons of Credit have testified their frequent hearing the Earl of *Essex* declare that Self-Murder was no Sin. It is further added, that his Countess, and Sir *Henry Capel* his Brother owned the Justice of the Coroner's Verdict. But had they believed the contrary, this was no proper Time to discover their Suspicions. I am very certain that the last Earl of *Essex*, his Son, was of another Opinion, and I have heard him say himself, that he believed his Father was murdered, and that a *French* Footman, who then served his Father, was strongly suspected, and disappeared immediately after the Fact. Be this as it will, the general Opinion then was, and still is, that this unfortunate Nobleman fell a Sacrifice to the Revenge of the King and the Duke of York. This seems so much the less strange, as amongst those who appeared most openly in Defence of their Country, against the King and Duke, the Earl of *Essex* was not the only Person who felt the Effects of their Resentment. The King however was not wanting to express his Concern for the Death of the Earl of *Essex*, not from any Affection to him, but because he had robbed him of the Opportunity of displaying his Clemency, and thereby showing that he had not forgot the Services and Sufferings of the Lord *Capel*, Father to the deceased, in the King his Father's Cause. But instead of convincing the Publick by this outward Show, many
 People

People imagined that the King mentioned the Lord *Capel*, only to insinuate how much the Earl his Son had swerved from his Steps.

Besides the Lord *Russel* condemned for this *Plot*, *Walcot*, two others met with the same Fate, that is to say, *Hone*, and *Hone a Joyner*, and one *Rouse*. This last had been before Indicted for treasonable Words, but escaped by the *Jury* returning on his Indictment *Ignoramus*. But he was re-taken and tried for the same Crime, which did not properly relate to this *Plot*, but to his having talked of the King in treasonable Expressions. *Hone* and *Rouse* were adjudged to suffer as Traitors, and accordingly were executed with *Walcot*, the 22d of *July*. They owned that they had heard of a *Plot* in general ; but they entered into no Particulars of it. At least it does not appear that the Lord *Russel* had any Correspondence with them.

The Day after followed the Execution of the Lord *Russel*. He was so universally beloved, that it was thought the King could not refuse his Pardon, which was begged by so many powerful Relations. It is even said, that the Earl of *Bedford* his Father, offered a Hundred Thousand Pounds for his Life, but was denied. The King would not so much as grant a Reprieve of six Weeks to his Lady, the Daughter of the Earl of *Southampton*, but made her this Answer, *Shall I grant that Man six Weeks, who if it had been in his Power would not have granted me six Hours*. Every Body however was convinced that if there was a Design to kill the King, the Lord *Russel* was not concerned in it. Besides that he denied it with his last Breath, he was not condemned for this Crime, and the Witnesses which deposed against him said nothing like it. Nevertheless the King, to have an Excuse for refusing a short Delay, supposed that this Crime was fully proved. It cannot be denied, that if the Lord *Russel* had been guilty of the Crime for which he was condemned, namely, of giving a tacit Consent to the Design of an Insurrection, the King could never have a fairer Opportunity of displaying his

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his Clemency with more Applause and Satisfaction than in the Case of this Lord, so celebrated for his Vertues, and allied to the greatest Families in the Kingdom. But all these Considerations were of no Weight, when thrown into the Scale against the Thirst of Revenge with which the King and the Duke of York were swayed. The Lord *Russel* had been one of the most zealous Sticklers against the Duke of York, had joined the Earls of *Shaftsbury* and *Essex*, and carried up the *Exclusion-Bill* to the House of Lords. These were Crimes not to be forgiven by the King and his Brother. But perhaps most of my Readers, after having considered the Transactions of this Reign, will not think it was so enormous a Crime to endeavour to oppose a Tyrannical Power, which was then beginning to erect it self. He died with great Firmness, protesting his Innocence and Ignorance of any Design against the King's Person, or for the Alteration of the Government. As it was expected that he would be interrupted, he spoke but little on the Scaffold; but left in the Hands of the Sheriff a Paper, in which he protested his Innocence, and said, *That he dyed a true and sincere Protestant, and in the Communion of the Church of England, though he could never yet comply with, or rise up to all the Heights of some People.*

*Trial of
Alger-
noon Sid-
ney.*

For a Conclusion of this Tragedy, I am next to mention the Condemnation and Execution of Colonel *Algernoon Sidney*, who was accused of this Plot, and of the Design to kill the King. He was Brother to the Earl of *Leicester*, and in the late Troubles had been deeply engaged in the *Republican* Schemes. At the Restoration he thought not fit to lay hold of the *Indemnity Act*, whether in Distrust of the King, or for some other Reason. In the Year 1677 he obtained his Pardon of the King, and returned to *England*, where he joined the *Country-Party*, and by this Step gave exceeding Offence to the King.

Four Witnesses were produced against him, *Ramsey, West, Keeling*, and the Lord *Howard of Eserick*. ^{1683. Depositions against him.} The three first contented themselves with giving a particular Account of the Plot, but said nothing directly against the Prisoner. He complained of it as a great Hardship, as prepossessing the Jury. The Lord *Howard* deposed, as before at the Tryal of the Lord *Russel*, that Colonel *Sidney* was of the Council of Six, and had sent *Aaron Smith* into Scotland to engage the Scots in the Rebellion.

His Defence was first the great Improbability of ^{His Defence.} erecting a Council of Six; and that Persons so little knowing one another, should presently fall into so great and intimate a Friendship. As to the Duke of *Monmouth*, he said he never spoke with him above three times in his Life; one time was when Lord *Howard* brought him to his House and cozened them both; for he had told the Duke that the Prisoner had invited him, and he told the Prisoner that the Duke invited himself, and neither of them was true. He enlarged upon the ill Reputation of the Lord *Howard*, and his varying his Evidence with respect to the Lord *Russel*'s, and the present Tryal. He alledged the Lord *Howard*'s Indigence, and his owing him Money, which Debt might probably be cancelled by his Conviction. He proved by the Testimonies of the Earls of *Clare* and *Anglesey*, of Mr. *Philip*, and Mr. *Edward Howard*, Dr. *Burnet*, Mr. *Ducas*, and Mr. *Blake*, that the Lord *Howard* had confessed, *That he could not get his Pardon until he had done some other Jobbs, untill he was past the Drudgery of Swearing.*

During this whole Tryal the Judges took it upon ^{Partiality of the Judges.} them to answer the Criminal, without leaving any thing for the King's Council to do. But they answered nothing to the Objection drawn from the Confession of Lord *Howard*, nor did he himself. So that the Design of the Court to furnish the Jury with Reasons to condemn the Prisoner was evident.

But

1683.

‘ disseminated, gave Rise and Growth to these nefarious Attempts ; and pass upon them our solemn publick Censure and Decree of Condemnation.

‘ Therefore to the Honour of the Holy and Undivided Trinity, the Preservation of Catholick Truth in the Church ; and that the King’s Majesty may be secured both from the Attempts of open bloody Enemies, and Machinations of treacherous Hereticks and Schismatics : We the Vice-Chancellor, Doctors, Proctors, and Masters Regent and not Regent, met in Convocation, in the accustomed Manner, Time, and Place, on *Saturday* the One and Twentieth Day of *July*, in the Year 1683, concerning certain Propositions contained in divers Books and Writings published in the *English* and also the *Latin* Tongue, repugnant to the Holy Scriptures, Decrees of Councils, Writings of the Fathers, the Faith and Profession of the Primitive Church, and also destructive of the kingly Government, the Safety of his Majesty’s Person, the publick Peace, the Laws of Nature, and Bonds of human Society ; by our unanimous Assent and Consent have decreed and determined in Manner and Form following.

The First Proposition.

‘ All Civil Authority is derived originally from the People.

The Second.

‘ There is a mutual Compact, Tacit or Express, between a Prince and his Subjects ; and that if he perform not his Duty, they are discharged from theirs.

The Third.

‘ That if Civil Governours become Tyrants, or govern otherwise than by the Laws of God and

- Man they ought to do, they forfeit the Right they
- had unto their Government. *Lex Rex. Buchan.*
- *de Jure Regni. Vindiciæ contra Tyrannos. Bellarm.*
- *de Conciliis, de Pontifice. Milton. Goodwin. Baxt.*
- *H. C.*

The Fourth.

- The Sovereignty of England is in the Three
- Estates, viz. King, Lords and Commons. The
- King has but a Co-ordinate Power, and may be
- over-ruled by the other two. *Lex Rex. Hunton.*
- *Of a limited and mixed Monarchy. Baxter's H. C.*
- *Polit Catechif.*

The Fifth.

- Birth-right and Proximity of Blood give no
- Title to Rule or Government; and it is lawful to
- preclude the next Heir from his Right and Suc-
- cession to the Crown. *Lex Rex. Hunton. Postscrip.*
- *Doleman's History of Succession. Julian the Apostate.*
- *Mene Tekel.*

The Sixth.

- It is lawful for Subjects, without the Consent,
- and against the Command of the supreme Ma-
- gistrate, to enter into Leagues, Covenants and
- Associations, for Defence of themselves and their
- Religion. *Solemn League and Covenant. Late Af-*
- *sociation.*

The Seventh.

- Self-Preservation is the fundamental Law of Na-
- ture, and supercedes the Obligation of all others,
- whensoever they stand in Competition with it.
- Hobbes, *de Cive; Leviathan.*

The Eighth.

- ‘ The Doctrine of the Gospel, concerning patient
- ‘ suffering of Injuries, is not inconsistent with violent
- ‘ resisting of the higher Powers, in Case of Persecu-
- ‘ tion for Religion. *Lex Rex. Julian the Apostate.*
- ‘ *Apologet. Relat.*

The Ninth.

- ‘ There lies no Obligation upon Christians to
- ‘ *Passive Obedience*, when the Prince commands any
- ‘ thing against the Laws of our Country; and the
- ‘ Primitive Christians chose rather to die than resist,
- ‘ because Christianity was not settled by the Laws of
- ‘ the Empire. *Julian the Apostate.*

The Tenth.

- ‘ Possession and Strength give a Right to govern;
- ‘ and Success in a Cause or Enterprize, proclaims
- ‘ it to be lawful and just: To pursue it is to comply
- ‘ with the Will of God, because it is to follow the
- ‘ Conduct of his Providence. Hobbes. Owen’s *Ser-*
- ‘ *mon before the Regicides*, Jan. 31. 1648. Baxter.
- ‘ Jenkins’s *Petition*, Octob. 1651.

The Eleventh.

- ‘ In the State of Nature there is no Difference be-
- ‘ tween Good and Evil, Right and Wrong: The
- ‘ State of Nature is a State of War, in which every
- ‘ Man hath a Right to all things.

The Twelfth.

- ‘ The Foundation of Civil Authority is this na-
- ‘ tural Right, which is not given but left to the su-
- ‘ preme Magistrate, upon Mens entering into Soci-
- ‘ eties:

1683.

‘ eties: And not only a foreign Invader, but a domestic Rebel, puts himself again into a State of Nature, to be proceeded against, not as a Subject, but an Enemy; and consequently acquires by his Rebellion the same Right over the Life of his Prince, as the Prince for the most heinous Crimes has over the Life of his own Subjects.

The Thirteenth.

‘ Every Man, after his entering into a Society, retains a Right of defending himself against Force; and cannot transfer that Right to the Commonwealth, when he consents to that Union whereby that Commonwealth is made: And in Case a great many Men together have already resisted the Commonwealth, for which every one of them expecteth Death, they have Liberty then to join together and assist and defend one another: Their bearing of Arms, subsequent to the first Breach of their Duty, though it be to maintain what they have done, is no new unjust Act; and if it be only to defend their Persons, it is not unjust at all.

The Fourteenth.

‘ An Oath superadds no Obligation to Pact, and a Pact obliges no farther than it is credited: And consequently, if a Prince gives any Indication, that he does not believe the Promises of *Faalty* and *Allegiance* made by any of his Subjects, they are thereby freed from their Subjection; and notwithstanding their Pacts and Oaths, may lawfully rebel against and destroy their Sovereign. *Hobbes de Civ. Leviathan.*

The Fifteenth.

‘ If a People, that by Oath and Duty are obliged to a Sovereign, shall sinfully dispossess him, and

- ‘ contrary to their Covenants, chuse and covenant
- ‘ with another ; they may be obliged by their latter
- ‘ Covenant, notwithstanding their former. *Baxter's H. C.*

The Sixteenth.

- ‘ All Oaths are unlawful, and contrary to the Word
- ‘ of God. *Quakers.*

The Seventeenth.

- ‘ An Oath obligeth not in the Sense of the Imposers, but the Takers. *Sheriff's Case.*

The Eighteenth.

- ‘ Dominion is founded in Grace.

The Nineteenth.

- ‘ The Powers of this World are Usurpations upon
- ‘ the Prerogative of Jesus Christ ; and it is the Duty
- ‘ of God's People to destroy them, in order to the setting
- ‘ Christ upon his Throne. *Fifth-Monarchy-Men.*

The Twentieth.

- ‘ The *Presbyterian* Government is the Scepter of
- ‘ Christ's Kingdom, to which Kings as well as others
- ‘ are bound to submit, and the King's Supremacy in
- ‘ Ecclesiastical Affairs, as asserted by the Church of
- ‘ *England*, is injurious to Christ, the sole King
- ‘ and Head of the Church. *Altare Damascenum.*
- ‘ *Apologet. Relat. Hist. of Indulgences. Cartwright,*
- ‘ *Traverse.*

The Twenty-first.

- ‘ It is not lawful for Superiours to impose any thing
- ‘ in the Worship of God that is not antecedently necessary.

The Twenty-second.

‘ The Duty of *not offending a weak Brother*, is inconsistent with all human Authority of making Laws concerning indifferent Things. *Protestant Reconciler.*

The Twenty-third.

‘ Wicked Kings and Tyrants ought to be put to Death ; and if the Judges and inferiour Magistrates will not do their Office, the Power of the Sword devolves to the People : If the major Part of the People refuse to exercise this Power, then the Ministers may Excommunicate such a King : After which it is lawful for any of his Subjects to kill him, as the People did *Athaliah* ; and *Jebu, Jezebel. Buchanan. Knox. Goodman. Gilby. Jesuits.*

The Twenty-fourth.

‘ After the Sealing of the Scripture Canon, the People of God, in all Ages, are to expect new Revelarions for a Rule of their Actions ; and it is lawful for a private Man, having an inward Motion from God, to kill a Tyrant. *Quakers and other Enthusiasts. Goodman.*

The Twenty-fifth.

‘ The Example of *Phineas*, is, to us, instead of a Command : For what God hath commanded or approved in one Age, must needs oblige in all. *Goodman. Knox. Napibali.*

The Twenty-sixth.

‘ King *Charles I.*, was lawfully put to Death ; and his Murderers were the blessed Instruments of God’s Glory in their Generations. *Milton. Goodwin. Owen.*

The Twenty-seventh.

“ King *Charles the First* made War upon his Parliament: And in such a Case, the King may not only be resisted, but he ceaseth to be King.
“ *Baxter.*

“ We decree, judge and declare all and every of these Propositions to be false, and seditious, and impious; and most of them to be also heretical and blasphemous, infamous to the Christian Religion, and destructive of all Government in Church and State.

“ We further decree, That the Books which contain the aforesaid Propositions, and impious Doctrines, are fitted to deprave good Manners, corrupt the Minds of unwary Men, stir up Seditions and Tumults, overthrow States and Kingdoms, and lead to Rebellion, Murder of Princes, and Atheism itself. And therefore we interdict all Members of the *University* from the Reading of the said Books, under the Penalties in the Statutes expressed. We also order the before-recited Books to be publicly burnt by the Hand of our Marshal, in the Court of our Schools.

“ Likewise we order, that In a perpetual Memory hereof these our Decrees shall be entered into the Register of the Convocation; and that Copies of them being communicated to the several Colleges and Halls within this University, they may be there publicly affixed in the Libraries, Refectories, or other fit Places where they may be seen and read of all.

“ Lastly, We command, and strictly enjoin all and singular the Readers, Tutors, Catechists, and others to whom the Care and Trust of initiating of Youth is committed, That they diligently instruct and ground their Scholars in that most necessary Doctrine, which, in a Manner is the Badge and
“ Character

“ Character of the Church of *England*, of submitting
 “ to every Ordinance of Man, for the Lord’s Sake ;
 “ whether it be to the King, as supreme ; or unto
 “ Governours, as unto them that are sent by him, for
 “ the Punishment of Evil-doers, and for the Praise of
 “ them that do well. Teaching that this Submission
 “ and Obedience is to be clear and absolute, and
 “ without any Exception of any State or Order of
 “ Men : Also, that they, according to the Apostle’s
 “ Precept, *Exhort*, that first of all, Supplications,
 “ Prayers, Intercessions and giving of Thanks, be made
 “ for all Men ; for the King, and all that are in Au-
 “ thority, that we may lead a quiet and peaceable Life,
 “ in all Godliness and Honesty, for this is good and ac-
 “ ceptable in the Sight of God our Saviour. And in
 “ especial Manner, That they press and oblige them
 “ humbly to offer their most ardent and daily
 “ Prayers at the Throne of Grace, for the Prefer-
 “ vation of our Sovereign Lord King *Charles*, from
 “ the Attempts of open Violence and secret Machi-
 “ nations of perfidious Traytors ; that the *Defen-*
 “ *der of the Faith*, being safe under the Defence of
 “ the most High, may continue his Reign upon
 “ Earth, till he exchange it for that of a late and
 “ happy Immortality.”

The Marriage of the Princess *Anne*, second Daugh-
 ter to the Duke of *York*, with Prince *George* Brother
 to the King of *Denmark*, celebrated the 28th of *July*,
 gave some, but no long Interruption to the Prosecu-
 tion of the Conspirators.

Marriage of the Princess Anne.

We have seen that the City of *London* complied
 with every Thing desired by the King in relation to
 their Charter. But it seems that the King had re-
 pented of the Favour he had shewn them. The E-
 lection of a Lord-Mayor, which is usually made the
 29th of *September*, having been put off to the 6th of
October, the King pretending that the City had not
 tendered him a formal Submission, ordered the Judge-
 ment given upon the *Quo Warranto* to be entered.

The King revokes the Conditions accepted by the City of London, and names a Lord-Mayor and other Magistrates.

By

1683. By this the City being without a Charter, the Government was seized by the King, who sent a Commission to Sir *William Pritchard* to continue in the Execution of his Office during Pleasure. He confirmed likewise the two Sheriffs with the same Restriction, and displaced the Recorder, and put another in his Room *. Shortly after, on *St Simon and Jude's Day*, on which it is customary for the new Lord-Mayor to take the Oaths in the Court of *Exchequer*, the King appointed a new Lord-Mayor during his Pleasure ; thus the City of *London* saw it self without Charter or Priviledges, and entirely depending upon the King's Will.

The Duke of Monmouth reconciles himself with the King.

I have said before that the King issued out a Proclamation to have all the Conspirators against his Life apprehended, in which Number was his Natural Son, the Duke of *Monmouth*. That Duke had hitherto kept himself concealed. But at last, weary of his uneasy Situation, he wrote to the King his Father in a very submissive manner, and after having positively denied his having any Design against his Life, he owned nevertheless that his Fears of a Design against his own, had thrown him into Actions contrary to his Duty to the King and the Duke of *York*, and asked both their Pardons with great Earnestness and Submission. He added, that if his Majesty would give him his Pardon, he would deliver himself up into the Hands of the Duke, that he might bring him to him. This was accompanied with Protestations and Assurances of Respect, Submission and Fidelity for the future. He concluded with Saying, “ That “ he would never ask to see the King's Face if ever “ he did any Thing against the Duke ; which was “ the greatest Curse he could lay upon himself.”

The

* Sir *George Treby* was displaced, and Sir *Thomas Jenner*, who was knighted at the same Time, was made Recorder. Eight Aldermen were likewise turned out, and as many new ones named in their stead.

The King could not dissemble his Satisfaction at the Receipt of this Letter, for he loved the Duke of *Monmouth* tenderly. Nevertheless with his own Hand he wrote the following Answer :

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If the Duke of Monmouth desires to make himself capable of my Mercy, he must render himself to the Secretary, and resolve to tell me all he knows, resigning himself entirely to my Pleasure.

This drew a second Letter from the Duke of *Monmouth* more submissive than the former, in which he confessed his Offence against the King and the Duke ; but in general Terms, and without Mention of Particulars. But in assuring the King of an unreserved Submission to his Pleasure, he intreated him that he would not expose him to the Ignominy of a Tryal, nor send him to the *Tower*, nor force him to be a Witness against any Person.

The King satisfied with this Letter, was very ready to admit his beloved Son to ask Forgiveness. He was introduced by Secretary *Jenkins*, who withdrew and left him alone with the King and the Duke of *York*. One cannot know what passed between them, otherwise than from the Mouth of the King and the Duke his Brother. It is however affirmed, that he threw himself at the King's Feet, acknowledging his Guilt, and asking his Pardon ; that he confessed himself faulty to the Duke, asking his Pardon also. All this is very probable ; but what is added admits of some doubt, namely, that he confirmed all that had been deposed against the Lord *Russel*, and Colonel *Sidney*, and so corroborated the Lord *Howard's* Evidence. It is assured farther, That he said the most considerable *Non-Conformist* Ministers knew of the Conspiracy. As this could only come from the King and Duke of *York*, and as both of them had an Interest that the Earl of *Essex*, Lord *Russel*, and Colonel *Sidney*, should be thought guilty, all do not think themselves obliged to Credit their Testimony.

However

1683.
and ob-
tains Par-
don.

However this be, the King ordered his Pardon to be dispatched with all Expedition. But upon a Representation afterwards of a Report, *That the Duke of Monmouth had made no Confession, but had asserted the Innocency of some that had suffered*, the King required him to write over and subscribe the following Letter :

*The King
requires a
Letter
from him.*

“ I Have heard of some Reports of me, as if I
“ should have lessened the late Plot, and gone
“ about to discredit the Evidence given against those
“ who have dyed by Justice. Your Majesty and the
“ Duke know how ingenuously I have owned the late
“ Conspiracy ; and though I was not conscious of any
“ Design against your Majesty’s Life, yet I lament
“ the having had so great a Share in the other Part
“ of the said Conspiracy. Sir, I have taken the Li-
“ berty to put this in Writing for my own Vindica-
“ tion ; and I beseech you to look forward, and en-
“ deavour to forget the Faults you have forgiven
“ me ; I will take Care to commit no more against
“ you, or come within the Danger of being again
“ misled from my Duty, but make it the Business of
“ my Life to deserve the Pardon your Majesty hath
“ granted to,

Your dutiful,

MONMOUTH.

*He de-
mands it
back ;*

It is certain that the Duke wrote, or at least signed this Letter, which, as appears, was drawn up in general Terms, without the specification of any Particulars. Notwithstanding shortly after he repented that he had signed it, and with great Importunity pressed the King to let him have it back. The King answered him, that it was no Intention of his to keep it against his Will, that he might not have Occasion to say, that he had been forced to write it. But that he gave him Time till the next Day to consider what ill Consequences might follow upon his Obsti-
nacy.

nacy. The next Day the Duke demanded his Letter with still greater Importunity, and the King restored it, but from that Moment banished him from his Presence and Court.

1683.
has is restored, and is banished from the King's Presence
A Conjecture upon this Affair.

It is easy to see that the Reason of the Duke's demanding his Letter, is a Subject for Conjectures, and difficult to be discovered. Some pretend that the Duke of *Monmouth's* Friends represented to him that by Writing this Letter, he had thrown himself upon a Precipice from which he would not be able to get free, since at some other Time it might be turned to his Ruin. Others maintain, that his Conscience, loaded with the Guilt of having asserted in this Letter a Thing which he knew to be false, gave him no Rest till he had got it again into his Hands. Every Man here follows the Opinion which is most agreeable to his System; but no Proof is produced on either Side. Lastly, there are who pretend that all this was a Farce acted between the King and the Duke of *Monmouth*, and that the King not to disoblige the Duke of *York*, told or ordered the Duke of *Monmouth* to be told to demand his Letter again, that he might have an Opportunity to restore it to him, for fear the Duke of *York* might on some Occasion, make an ill Use of it. They strengthen this Conjecture from the Manner of the King's behaving to the Duke of *Monmouth* in his Absence. The Duke withdrawing into *Holland*, and the Prince of *Orange* receiving him there with great Respect and Civility, the King could not forbear testifying his grateful acknowledgements to the Prince. He wrote frequently to the Duke of *Monmouth*, received Letters from him unknown to the Duke of *York*, and secretly made him Remittances of Money.

The Winter this Year was very remarkable for a violent Frost, which began about the Beginning of *December*, and continued with great Sharpness till the 5th of *February*. The *Thames* was so frozen that another City, as it were, was erected upon it by the great Number of Shops of all sorts opened upon the Ice,

1683.

Ice, and the actual holding of a *Fair*. An Ox was likewise roasted whole, Bulls baited, &c.

Tangier
demolish-
ed.

In *September* or *October*, the King had commissioned the Lord *Dartmouth* to go with about twenty Sail of Ships, and utterly demolish the Town, Castle, and Mole of *Tangier*. The Mole had cost him vast Sums of Money, and either for want of more, or some other Cause, was left unfinished. The Lord *Dartmouth* had likewise Orders to choak up the Haven. Six Months were spent in executing this Commission. This freed the King from a considerable annual Expence to preserve this Place, and moreover the Garrison brought back to *England*, and mostly consisting of *Popish* Soldiers and Officers, served to augment the King's Troops, and to keep in awe those who were impatient under their Yoke.

The Siege
of Vienna.

This Year 1683, was signalized by the famous Siege of *Vienna*, formed by the Grand Visir *Kara Mustapha*, the 9th of *July*, with an Army of one Hundred and thirty thousand Men, and raised by the King of *Poland*, the second of *September*, when the City was now reduced to the last Extremity.

1683-4.

The Year 1684 was almost wholly spent in the establishing and strengthening the King's acquired absolute Power.

Means to
confirm
the King
in his ab-
solute
Power.

The Means to do this were chiefly three. The first, the Augmentation of the Forces by the Garrison from *Tangier*: The Second, the rigorous Examples made of several who were not only accused of the *Protestant Plot*, but who had during the late Quarrels between the King and his Parliaments, taken the Liberty to speak of the King and Duke of *York*, with too much Passion and Heat. These Discourses, held at a Time when the King and the Duke were obliged to dissemble their Resentments for fear of farther exasperating the Parliament, were now called to Mind when their Affairs were in a more favourable Situation, and they made the Authors of them suffer for it. The Third Means was the perfwading indirectly all the *Corporations* in the King-
dom

dom to surrender their *Charters* to the King. I have already said all I have to say concerning the Garrison brought from *Tangier*. 1683-4

As to the second Expedient for establishing the King's absolute Power, I mean the Prosecutions against the King's and the Duke's Enemies, it would be tedious to enumerate all the Tryals and Sentences given against those who were accused of the last Plot, or had treated, with too much Freedom of Speech, the Characters of the King and the Duke of *York*. Nothing else almost is to be met with in the Events of the Year 1684. After the City had lost their Privileges, the King had nominated *Sheriffs* who were entirely devoted to him, and they took Care in all Criminal Tryals to impanel Juries, disposed to follow the Suggestions of the Court. To facilitate the Condemnation of those whose Prosecutions were resolved on, the King in *December* last had advanced Sir *George Jefferies* to be Lord Chief-Justice of the *King's-Bench*. He was a Man fit for the Purposes of the Court, without Honour or Conscience, impudent to the last Degree, and always ready to betray his Duty and the Interests of Justice and the Kingdom to recommend himself to those who were in Power. These great Qualities advanced him at last to the Chancellorship of *England*. The King likewise had made other Alterations amongst the Judges, so that he was in a manner assured of the Compliance of all the Courts of Justice. The Court-Party had made a great Noise some Time before of the *Ignoramus* returned by the *London-Juries* upon all *Bills* preferred against *Whigs*; these now complained no less loudly of the Severities practised this Year by the *Tories*. Books were written upon this Subject, to shew the Passion, the Partiality, and the crying Injustices of Judges and Juries, in favour of the Court. But I cannot enter into the Detail of these Things, however proper it would be to make known with what Zeal the Court laboured in the Execution of their Designs, and the Characters of the Persons employed. I shall

Condem-
nations of
several
Persons.

Character
of Sir
George
Jefferies.

1683-4

I shall therefore pass over a great Number of Tryals underwent this Year by Persons little known, and shall confine my self to some particular Cases, which will give us a Notion of the rest.

*The Earl of
Danby
discharg-
ed.*

The Earl of *Danby* had been sent to the *Tower* by the House of Lords upon an Impeachment from the *Commons*. He had often demanded to be discharged upon Bail; but the Judges had always refused his Request, declaring that it was not in their Power to admit to Bail a Peer of the Realm imprisoned by Parliament. This was the Law of the Kingdom. But the Alterations amongst the Judges, had likewise produced great Alterations in the Maxims and Principles of the Courts of Justice. The Judges, who had been employed for some time, believed the Laws allowed them to release the Earl upon Bail, which they accordingly did upon his entering into a Recognizance of Ten Thousand Pounds.

*The Popish
Lords ad-
mitted to
Bail.*

The Bailing the Earl of *Danby* was a Precedent for the Liberty of the *Popish* Lords, Prisoners in the *Tower*. The Lord *Petre* one of those Lords, dying about a Month before, upon his Death-bed wrote to the King, and disowned with his last Words, and upon his *Salvation*, the Matters of which he stood accused. After a Declaration so express, the King, not doubting the Innocence of the other Four, told the Court by his Attorney-General, that he consented to whatever the Court should think fit to be done with regard to the *Popish* Lords, who were therefore set at Liberty upon Bail the same Day with the Earl of *Danby*. It must be, either that the former Judges were very ignorant not to know that an inferiour Court had a Power to release Men imprisoned by the supreme Court of the Nation, or that the present Judges were more bold and daring than their Predecessors.

But the Persons accused of the last Conspiracy, and those who had spoken disrespectfully of the King and the Duke of *York*, met not with so much Humanity. Among the great Number of Persons prosecuted

prosecuted for these two Offences, I shall only relate the Tryals of Three or Four. 1683. 4.

Mr. *Hambden* was tryed for a *High-Misdemeanour* The Tryal
the 6th of *February*. The Lord *Howard* deposed a-
gainst him, That the *Council of Six* had met at his of Mr.
House, where he made an *Introductory Speech* Hambden.
to open the *Assembly*. That he had been concerned in
sending *Aaron Smith* into *Scotland*. Mr. *Hambden's*
Council insisted upon Lord *Howard's* ill Reputation;
and scandalous Life, and represented him as little bet-
ter than an *Atheist*. But such *Objections* were only
available against *Oates* and *Bedloe*. For how was it
possible that the Lord *Howard* should be an ill Man,
who only gave Evidence against *Protestants*? On the
other Hand, Mr. *Hambden* produced *Witnesses* to
his *Virtue*, his *Piety*, his *Morality*. But these *Testi-*
monies did him no Service. *Jefferies* in a long
Speech, speaking of Religion and *Virtue*, turned it
upon the *Prisoner* in these Words, " Was it not,
" said he, under the Name of Religion that the
" blessed *Martyr* [*Charles I.*] was brought to the
" Block? Nay, some Men were at a loss to know
" which way they should put a Spirit into the com-
" mon People to oppose the King, and some amongst
" them [*Mr. Hambden the first*] bid them be sure to
" put Religion to be the Pretence, and that would make
" them run headlong to what they would have them."

By this way of Reasoning, to be *Virtuous* and *Reli-*
gious, was a sort of *Touchstone* to prove that a Man
was in a Plot. But observe an *Artifice* made use of
to cast Mr. *Hambden*. It is certain that, supposing
the *Testimony* of Lord *Howard* to be true, Mr.
Hambden was not less *Criminal* than Lord *Russel* or
Colonel *Sidney*. Nevertheless he could not be brought
in guilty as a *Traytor*, because there was but one
single Evidence against him, and all *Laws Divine*
and *Humane* require two *Witnesses* to the taking a-
way a Man's Life. He was therefore indicted of a
Misdemeanour, and the *Jury* finding him guilty up-
on the *Testimony* of Lord *Howard*, the Court was

1683-4.
Who is fi-
ned forty
Thouſand
Pounds.

ſatisfied with fining him Forty Thouſand Pounds, and obliging him to find Sureties for his good Behaviour during Life. All the World cryed out upon the Rigour and Strangeneſs of this Sentence. But the King ſolved all Scruples, by aſſuring the Publick in a large Declaration, " That if he had not granted
" the Duke of Monmouth's Requeſt, *That he would*
" *not make him a Witneſs*, neither Mr. Hambden; nor
" ſcarce any one Man of thoſe that were freed upon
" Bail, had eſcaped Death."

1684.
Scandalum Mag-
natum
brought a-
gainſt Dut-
ton Colt.

John Dutton Colt Eſquire, a Member of the three laſt Parliaments, having been accuſed of ſpeaking theſe Words, *The Duke of York is a Papiſt, and be- fore any ſuch Papiſt Dog ſhall be Succeſſor to the Crown of England, I will be banged at my own Door.* Theſe and other injurious Words being proved againſt him, the Jury brought in their Verdict for the Duke of York, and gave him a Hundred Thouſand Pounds Damages.

And a-
gainſt Ti-
tus Oates.

The Duke of York likewise brought his Action of *Scandalum Magnatum* againſt *Titus Oates*, for directly calling him *Traitor*. For this Offence the Court gave the Duke of York a Hundred Thouſand Pounds Damages. Shortly after he was indicted for Perjury, in relation to Father *Ireland's* being in *London* at the time *Oates* ſwore to, at his Tryal. Not long after another Indictment was preferred againſt him for the ſame Crime, in relation to his being preſent at the ſuppoſed Conſults of the *Jefuits* at the *White-Horſe Tavern* in 1678. But theſe Indictments not being tried this Reign, *Oates* continued in Priſon.

Theſe three, and ſome others, omitted for Brevity ſake, eſcaped with Life, though properly ſentenced to perpetual Imprisonment, as not being able to pay their exorbitant Fines. But two others who were out of the Kingdom came not off ſo well. *James Holloway* having ſeen his Name in the *Gazette* amongſt the Conſpirators, who were to be apprehended by the King's Proclamation, had fled into the *West-Indies*. Upon his Flight he had ſuffered an *Outlawry*
for

for High-Treason : This Year the Court having Advice that he was in the *West-Indies*, caused him to be apprehended and brought to *London*, where he was executed upon the Attainder of his *Outlawry* for Treason.

1684.
Holloway
executed.

The same Fate attended Sir *Thomas Armstrong*, who had been considered as one of the principal Authors of the last Conspiracy, and had been named in the King's Proclamation with a Reward of Five Hundred Pounds. He had made his Escape into *Holland*, and had been outlawed as in the Case of *Holloway*. The Court hearing that he was at *Leyden*, obtained an Order from the *States* to apprehend him, and accordingly, before he had Notice, he was taken up, brought to *Rotterdam*, and from thence to *London*. When he appeared at the King's *Bench-Bar*, he alleged that he was beyond Sea at the Time of the *Outlawry*, and begged that he might be tried. But his Request was absolutely rejected ; and the rather, as the Attorney-General told the Court, from the King, that *Armstrong* was one of the Persons who were to assassinate his Majesty on his Return from *New-market*, which the Prisoner positively denied. He was executed the 20th of *June*, and his Head and Quarters set up in several Parts of the City. One was reserved to be sent down to *Stafford*, for which Town he had been a Burgess in Parliament.

And Sir
Thomas
Arm-
strong.

I do not think it necessary to enter into a more particular Account of the Tryals of this Year against a Number of *Libellers*, and of Persons who had spoken ill of the King, the Duke of *York*, or the Government. In Mr. *Eichard's* History I find Thirty-two condemned to pay great Fines, and some of them put in the Pillory. The History of this Year properly consists of such Transactions only.

The whole Kingdom being struck with Terrour, the King thought he should take Advantage of it, and establish his absolute Power so, as to have nothing to fear from any future Opposition. This was to be done by depriving at once all the *Corporations*,

The King
prowls, &
have the
Charters
of the prin-
cipal Bo-
roughs sur-
rendered to
him.

1684.

and consequently all his Subjects of their Priviledges. Here his absolute Power was not to be shewn, but Address and Management made use of (still more dangerous to the People) by engaging them to make a voluntary Surrender of their *Charters* into his Hands, and receive such new ones as he should think fit to grant. For this Purpose Courtiers and Emissaries were sent down to the more considerable Boroughs to inspire them with Terrour, and give them to understand that scarce one of them could escape, should the King proceed with Rigour against them. These Menaces were aimed chiefly against the *Whigs* and *Non-Conformists*; for as for the *Tories*, they were generally ready enough to follow blindly the Dictates of the Court. *Jefferies* on this Occasion distinguished himself in his *Northbren Circuit* at the Summer *Affizes*. He forgot nothing which was capable to terrify the People, letting them know that a Surrender of their *Charters* was the only Means left for them to avert the Mischiefs which hung over their Heads. Other Judges and Emissaries copied after this Precedent, and at last, when the larger *Corporations* had been gained, the lesser necessarily followed. Wherefore *England* saw on a sudden an amazing Revolution; saw herself stripped of all her Rights and Priviledges, excepting such as the King should vouchsafe to grant her. And what is more astonishing, the *English* themselves delivered up these very Rights and Priviledges to *Charles II.*, which they had so passionately, and if I may say it, furiously defended against the Designs of *Charles I.*

*The King
musters his
Army.*

To make the People in some Measure fully sensible of their new Slavery, the King affected to muster his Forces, which with one Regiment of Foot, and one Troop of Horse-Guards (raised by himself with the Murmurs of Numbers of his Subjects) now amounted to four Thousand well armed and disciplined Men. It might then be seen that the Members of Parliament who opposed the raising, or at least the keeping these Guards on foot, were not altogether

together in the wrong. But the Zeal of the *Tory*-
 Party was now arrived to such a height, that they
 looked on every Thing which contributed to render
 the King absolute, as a sure Means to destroy the
Whigs, and consequently as a Triumph for them-
 selves. They preposterously imagined that the Court
 had no other Aim than the Destruction of that odi-
 ous Party, and was taking all this Pains purely for
 them. Accordingly we find still some Authors of
 this last Party, who are desirous to have the Year
 1684 esteemed as the most peaceable, the most quiet,
 and in a Word, the happiest Year that *England* had
 seen for some Ages. Nothing was capable to open
 the Eyes of these passionate Men, who, against all
 likelihood, imposed upon themselves with a Belief
 that the Court was well-affected both to the State and
 the *Protestant* Religion.

1684.
*The Tories
 in Rap-
 tures on
 the Eleva-
 tion of the
 King's
 Power.*

Nevertheless an Action of the King's this Year
 might have undeceived them. This was his dissolv-
 ing the Commission, granted, in the Year, 1681, for
 the Disposal of all *Ecclesiastical* Preferments. As the
 establishing this Commission was with Design to per-
 swade his Subjects that he had the Interest of the *Pro-
 testant* Religion at Heart, he could not avoid ap-
 pointing such Commissioners as were thought to have
 the same Sentiments. But finding himself at length
 in the Situation he had wished to be, this Commis-
 sion became too uneasy to him, and therefore he re-
 voked it to fill the Church-Preferments agreeably to
 his own Inclinations.

*The King
 vacates
 the Eccle-
 siastical
 Commis-
 sion.*

It must not be concealed that the major Part of
 Historians ascribe the Rigours exercised this Year,
 and all the Steps taken by the King for the Advance-
 ment of his absolute Power, to the Counsels of the
 Duke his Brother; that Prince had gained so great
 an Ascendant over him, that he held him in a kind
 of Vassalage, and led him into Measures which were
 naturally productive of others, and thus pushed him
 on farther than the King desired. Besides, that the
 King was naturally indolent, and loved his Ease too
 much

*The Duke
 of York
 blamed for
 the King's
 Actions.*

1684-

much to engage in any Affairs that might disturb his Quiet, he knew the Genius and Temper of the *English* much better than the Duke of York, and was sensible of the great Difficulty to preserve a Power so acquired, any long Time. But on the other Hand, after having taken so many Steps in pursuit of this Power, he could not go back with Decency, nor make any Alteration in his Conduct, without breaking entirely with the Duke, which must have been attended with great Trouble to him. He could not renounce the Principles and Maxims he had lately followed, without an entire Change in his Court and Council, and without putting himself into the Hands of Men of quite contrary Maxims and Principles. Besides, his Inclination was to the Way he was now in, and it was only his Fear of ruffling his present Calm which placed before him the Danger of his Proceedings. Meanwhile, as this Danger was not yet near, and as all the Kingdom appeared submissive to his Orders, he kept off the Evil Day, and delayed coming to any Determination.

*A Statue
erected to
the King.*

However this be, the *Hamborough* Company, to engage the Affections of a Prince, invested with such Power, erected a Marble Statue to him in the Middle of the *Royal Exchange* with this pompous Inscription on the Pedestal.

*The In-
scription.*

CAROLO II. *Cæsari Britannico, Patriæ Patri, Regum Optimo, Clementissimo, Augustissimo, Geheris humani Delictis, Utriusque Fortunæ Victori, Pacis Europæ Arbitro, Maris Domino & Vindictæ, Societas Mercatorum Adventur. Angliæ, quæ per CCC jam prope Annos Regiâ Benignitate florêt, Fidei intemeratæ, Gratiitudinis Æternæ, hoc Testimonium Venerabunda posuit, Anno sal. Humanæ. MDCLXXXIV.*

1684-5.
*The King
absolute.*

Almost the whole Month of *January* of the new Year 1685 was spent in prosecuting Delinquents, either against the King or the Duke of York, or in receiving the Surrender of *Charters* from *Corporations* who had not yet sent them in, or in granting new ones on such Conditions as the Court approved. It

may

1684-5.

may well be imagined that these Conditions brought no Prejudice to the Power with which the King had invested himself. All Complaints were suppressed, and the whole Kingdom was entirely reduced to Obedience, the City of *London* not excepted, which had always been refractory against absolute Power.

The King now finding himself in the full Enjoyment of his Wishes, was willing to do a popular Act, and accordingly put out a Declaration drawn up by Dr. *Sprat*, in which he affectionately thanked his Subjects for the great Confidence they had reposed in him, chiefly for their so freely resigning their local Immunities and Charters into his Hands, lest the Abuse of any of them should hereafter prove dangerous to the just Prerogatives of the Crown. This he declared his Esteem of, as the *Peculiar Honour* of his Reign, being such as none of the most popular of all his Royal Predecessors could ever have hoped for. Wherefore he thought himself more than ordinarily obliged to continue, as he had hitherto begun, to shew the greatest Moderation and Benignity, in the Exercise of so great a Trust: Resolving upon this Occasion to convince the highest Pretenders to the Common Weal, that as the Crown was the first *Original*, so it was still the surest *Guardian* of all the People's lawful Rights and Privileges.

In a Declaration he thanks the Corporations for the surrender of their Charters.

Notwithstanding all this it is pretended, that he had laid a Project for altering the whole Measures of his Government. That he designed to recall the Duke of *Monmouth*, to send the Duke of *York* beyond Sea, and call a Free Parliament. This seems to have been founded on some Passages in the Duke of *Monmouth's* Pocket-Book, seized with his Person in the following Reign. We are further told, that the King had intimated, that if he lived but a Month longer, he would find a Way to make himself easy for the rest of his Life*. But he lived not long enough.

He forms new Projects.

He dies.

* Of this new Scheme *Burnet* gives this Account. There was at this Time a new Scheme formed, that very probably would have

1685. nough to execute this Design, dying the sixth of February, Fifty-four Years of Age, and Twenty-five since his Restoration. The Cause of his Death being differently reported, some thinking it natural, others violent, I believe it best to transcribe from Dr. Welwood this, seemingly, most impartial Account of it.

Extract
out of Dr.
Welwood
upon this
Subject.

“ It is confessed; few Princes come to dye a sudden Death, but the World is apt to attribute it to foul Play; especially if attended with unusual Circumstances in the Time and manner of it.

“ King Charles had a healthful Constitution beyond most Men, and took great Care to preserve it, by Diet and Exercise, which naturally promise a long Life: And it was more extraordinary to see such a Man die before Threescore, than another in the Bloom of Youth.

“ Now, if he died by a natural Death, it is agreed by all, that it must have been an *Apoplexy*. This Disease seizes all the vital Faculties at once; and yet for the most Part, does not only give some short Warnings of its Approach, by unusual Affections of the Head, but many Times is occasioned by some evident preceeding Cause.

“ In King Charles's Case, there appeared no visible Cause, either near or remote, to which, with any certain

for ever broken the King and the Duke ——— It was laid at the Lady Portsmouths. Barillon, Lord Sunderland. and Lord Godolphin were in it. The Duke of Monmouth came over secretly. And though he did not see the King, yet he went back very well pleased with his Journey ——— The Design was to begin with the sending the Duke of York to Scotland ——— The King spoke to the Duke concerning his going to Scotland: And he answered, there was no Occasion for it. Upon which the King replied, that either the Duke must go, or that he himself would go thither ——— The King was observed to be colder and more reserved to the Duke than ordinary. But what was under all this, was still a deep Secret. Lord Halifax was let into no Part of it. He complained in Council against Lord Rochester, that there were many Razures in the Books of the Treasury, and moved the King to go to the Treasury Chamber. So the King named the next Monday. And Mr. May was sent for from Windsor, to come to Court that Day, which it was expected would prove a critical Day. And it proved so indeed, though in a different Way; the King being taken ill in the mean while. p. 606.

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“ certain Reason, his Disease could be ascribed ; and
 “ the Fore-runners of it were rather to be found in
 “ the Stomach and Bowels, than in the Head.

“ For after he was a Bed, he was overheard to
 “ groan most of the Night : And both then, and
 “ next Morning, before he fell into the *Fit*, he com-
 “ plained first of a heavy Oppression in his Stomach,
 “ and about his Heart, and afterwards of a sharp
 “ Pain in those Parts ; all which Symptoms had but
 “ little Relation to an *Apoplexy*.

“ That Morning there appeared to every Body a-
 “ bout him, a *Gbaſtlineſs* and *Paleneſs* in his Looks :
 “ And when he ſate down to be ſhaved, juſt before
 “ the *Fit* took him, he could not ſit ſtraight, as he u-
 “ ſed to do, but continued in a ſtooping Poſture, with
 “ his Hand upon his Stomach, untill the *Fit* came.

“ After he had been brought out of it, by opening
 “ a Vein, he complained of a Racking Pain in his
 “ Stomach, and of no Indispoſition any where elſe :
 “ And during the whole Time of his Sickneſs, and e-
 “ ven when he ſeemed moſt Inſenſible, he was obſerv-
 “ ed to lay his Hand, for the moſt Part, upon his Sto-
 “ mach, in a moaning Poſture, and continued ſo untill
 “ his Death : And ſo violent was the Pain, that when
 “ all Hopes were gone, the Phyſicians were deſired
 “ to uſe all their Art to procure him an *eaſy Death*.

“ So much for the Diſtemper itſelf. There re-
 “ mains ſome Things to be taken Notice of, that fell
 “ out before and after his Death.

“ A few Days before he was taken ill, King Charles
 “ being in Company where the preſent Poſture of Af-
 “ fairs was diſcourſed of, there eſcaped ſome warm
 “ Expreſſions, about the uneaſy Circumſtances he was
 “ plunged into, and the ill Meaſures had been given
 “ him : And how in a certain particular Affair, he
 “ was pleaſed to mention, *He had been abuſed* ; adding
 “ with all, in ſome Paſſion, *That if he lived but a*
 “ *Month longer, he would find a Way to make himſelf*
 “ *eaſy, for the reſt of his Life*. This Paſſage was whi-
 “ pered Abroad next Day ; and the Rumour of re-
 “ calling

1684-5. “ calling the Duke of *Monmouth*, and sending away
 “ the Duke of *York*, came to take Air about the
 “ same Time. Indeed, all Things were making rea-
 “ dy to put the latter in Execution; and their is Rea-
 “ son to believe the King had intimated as much to
 “ the Duke himself; for some of his richest Furni-
 “ ture was put up, and his chief Servants ordered to
 “ be in a Readiness to attend their Master upon an
 “ Hour’s Warning; and Yachts were waiting, to
 “ transport some Person of Quality, without menti-
 “ oning who it was, or whether bound.

“ The *Romish* Party that managed about Court,
 “ were observed to be more than ordinary diligent and
 “ busy up and down *Whitehall* and *St. James’s*, as if
 “ some very important Affair was in Agitation; and
 “ a new and unusual Concern was to be seen on their
 “ Countenances. Nor was it any Wonder; for in this
 “ suspected Change, they were like to be the only
 “ Losers, and all their teeming Hopes were in a fair
 “ Way to be disappointed. How far the Principles of
 “ some of that Party might leave them at Liberty to
 “ push on their Revenge for this designed Affront, as
 “ well as to prevent the Blow that threatened them,
 “ though without the Privy, much less the Consent
 “ of the Duke of *York*, is left to the Reader to judge.

“ There was a Foreign Minister, that some Days
 “ before the King fell ill, ordered his Steward to buy
 “ a considerable Parcel of black Cloth, which served
 “ him and his Retinue afterwards for Mourning: And
 “ the late Ambassador, *Don Pedro Ronquillo*, made it
 “ no Secret, that he had a Letter from *Flanders* the
 “ Week before King *Charles* died, that took Notice
 “ of his Death, as the News there. But both these
 “ might fall out by meer Accident.

“ There remain two Things more that deserve some
 “ Consideration in this Matter. When his Body was
 “ opened, there was not sufficient Time given for
 “ taking an exact Observation of his Stomach and
 “ Bowels; which, one would think, ought chiefly
 “ to have been done, considering the violent Pains

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“ he had there : And when a certain Physician seem-
 “ ed to be more Inquisitive than ordinary about the
 “ Condition of those Parts, he was taken aside and
 “ reproved for his *needleless Curiosity*. In the next
 “ Place, his Body stunk so extremely within a few
 “ Hours after his Death, notwithstanding the Cold-
 “ ness of the Season, that the People about him were
 “ very much offended with the Smell : Which is a
 “ Thing very Extraordinary, in one of his strong
 “ and healthful Constitution ; and is not a proper
 “ Consequent of an *Apoplethical* Distemper.

“ There was some Weight laid upon an Accident
 “ that fell out at *Windsor* some Years before his
 “ Death : For the King drinking more liberally than
 “ usual, after the Fatigue of Riding, he retired to the
 “ next Room, and wrapping himself up in his Cloak,
 “ fell asleep upon a Couch. He was but a little Time
 “ come back to the Company, when a Servant be-
 “ longing to one of them, lay down upon the Couch
 “ in the King's Cloak, and was found stabbed dead
 “ with a Ponyard. Nor was it ever known how it
 “ happened, but the Matter hushed up, and no En-
 “ quiry made about it.

“ To conclude, Dr. *Short*, who was a Man of
 “ great Probity and Learning, and a *Roman Catho-
 “ lick*, made no Scruple to declare his Opinion to
 “ some of his intimate Friends, that he believed King
 “ *Charles* had foul Play done him : And when he
 “ came to die himself, expressed some Suspicion that
 “ he had met with the same Treatment, for opening
 “ his Mind too freely in that Point.

“ So much for the Circumstances of King *Charles's*
 “ Death, that seem to have an ill Aspect. There
 “ are others, that seem to destroy all Suspicion of
 “ Treachery in the Matter.

“ As, First, He had lived so fast as might enervate,
 “ in a great Measure, the natural Force of his Consti-
 “ tution, and exhaust his animal Spirits ; and there-
 “ fore he might be more subject to an *Apoplexy*,
 “ which is a Disease that weakens and locks up these
 “ Spirits

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“ Spirits from performing their usual Functions. And though in his latter Years, he had given up himself more to Pleasures of Wine, than Women ; that might be rather the Effect of Age than of Choice.

“ Next, It is known, he had been once or twice attacked before, with *Fits* that much resembled those of which he afterwards died : And yet as the manner of them is told, they look rather to have been a *Convulsive Motion*, than an *Apoplexy* ; seeing they were attended with violent Contortions of his Face, and Convulsions of the whole Body and Limbs. This is the more confirmed, by a Passage, that happened during the Heat of the *Papish Plot*. - King Charles had some secret Matters to manage at that time, by the Means of a *Romish Priest* then beyond Sea, whom he ordered to be privately sent for : And the Gentleman employed between the King and him (from whom I had the Story) was directed to bring him privately to *Whitehall*. The King and the Priest were a considerable Time together alone in the Closet, and the Gentleman attended in the next Room : At last the Priest came out, with all the Marks of Fright and Astonishment in his Face ; and having recovered himself a little, he told the Gentleman, That he had run the greatest Risque ever Man did ; for while he was with the King, his Majesty was suddenly surprized with a *Fit*, accompanied with violent *Convulsions* of his Body, and Contortions of his Face, which lasted for some Moments ; and and when he was going to call out for Help, the King held him by Force till it was over, and then bid him not be afraid, for he had been troubled with the like before ; the Priest adding, what a Condition he should have been in, considering his Religion in the present Juncture of Affairs, if the King had died of that *Fit*, and no Body in the Room with him besides himself.

“ But leaving this Story to the Credit of the Priest, there might be another natural Cause assigned for King Charles's falling into such a *Fit* as that of
“ which

“ which he died, which is this ; He had for some
 “ Time an Issue in his Leg, which ran much, and con-
 “ sequently must have made a great Revulsion from
 “ his Head, upon which account, it is probable, it
 “ was made. A few Weeks before his Death, he had
 “ let it be dried up, contrary to the Advice of his Phy-
 “ sicians, who told him it would prejudice his Health.
 “ Their Prognostick was partly true in this, that their
 “ came a painful Tumour upon the Place where the
 “ Issue had been, which proved very obstinate, and
 “ was not thoroughly healed up when he died.

“ In fine, it is agreed on by all Hands, that King
 “ Charles expressed no Suspicion of his being poysoned,
 “ during all the time of his Sicknes: Though it must
 “ be also observed, that his *Fits* were so violent, that
 “ he could not speak while they were upon him, and
 “ shewed an Aversion to speaking during the Intervals.
 “ And there was not any thing to be seen, upon open-
 “ ing his Body, that could reasonably be attributed to
 “ the force of Poyson. Yet, to allow these Consider-
 “ ations no more Weight than they can well bear,
 “ this must be acknowledged, that there are Poysons
 “ which affect originally the animal Spirits, and are
 “ of so subtle a Nature, that they leave no conclu-
 “ ding Marks upon the Bodies of those they kill.”

Let us now see what Dr. Burnet says upon this Sub-
 ject, in his History of his own Times. As this His-
 tory is not yet translated, or at least published in
French, I believe it will not be unacceptable to Fo-
 reigners to insert here that famous Prelate's Account
 of the Death of Charles II.

“ All this Winter the King looked better than he
 “ had done for many Years. He had an Humour
 “ in his Leg, which looked like the Beginning of the
 “ Gout : So that for some Weeks he could not walk,
 “ as he used to do generally three or four Hours
 “ a Day in the *Park* ; which he did commonly so
 “ fast, that as it was really an Exercise to himself, so
 “ it was a Trouble to all about him to hold up with
 “ him. In the State the King was in, he not being
 “ able

*Extract of
 Dr. Burnet's His-
 tory.*

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“ able to walk, spent much of his Time in his Laboratory, and was running a Process for the fixing of *Mercury*. On the first of *February*, being a *Sunday*, he eat little all Day, and came to Lady *Portsmouth* at Night, and called for a Porringer of Spoon-Meat. It was made too strong for his Stomach ; so he eat little of it : And he had an unquiet Night. In the Morning one Dr. *King* a Physician and a Chymist, came, as he had been ordered, to wait on him. All the King’s Discourse to him was so broken, that he could not understand what he meant. And the Doctor concluded, that he was under some great Disorder, either in his Mind, or in his Body. The Doctor amazed at this, went out, and meeting with Lord *Peterborough*, he said, the King was in a strange Humour, for he did not speak one Word of Sense. Lord *Peterborough* desired he would go in again to the Bed-chamber, which he did. And he was scarce come in, when the King, who seemed all the while to be in great Confusion, fell down all on a sudden in a Fit like an Apoplexy : He looked black, and his Eyes turned in his Head. The Physician, who had formerly been an eminent Surgeon, said, it was impossible to save the King’s Life, if one Minute was lost : He would rather venture on the Rigour of the Law, than leave the King to perish ; and so he let him Blood. Though the King came out of that Fit, yet the Effects of it still hung upon him, so that he was much oppressed. And the Physicians did very much apprehend the Return of another Fit, and that it would carry him off : So they looked on him as a dead Man. The Bishop of *London* spoke a little to him to dispose him to prepare for whatever might be before him ; to which the King answered not a Word. But that was imputed partly to the Bishop’s cold way of speaking, and partly to the ill Opinion they had of him at Court, as too busy in Opposition to Popery. *Sancroft* made a very weighty Exhortati-

“ on to him ; in which he used a good Degree of
 “ Freedom, which he said was Necessary, since he
 “ was going to be judged by one who was no Re-
 “ specter of Persons. To him the King made no
 “ Answer neither ; nor yet to *Ken*, though the most
 “ in Favour with him of all the Bishops. Some im-
 “ puted this to an Insensibility, of which too visible
 “ an Instance appeared, since the Lady *Portsmouth* sat
 “ in the Bed, taking Care of him as a Wife of a Hus-
 “ band. Others guessed truer ; that it would ap-
 “ pear he was of another Religion. On *Thursday* a
 “ second Fit returned. And then the Physicians
 “ told the Duke, that the King was not like to live
 “ a Day to an End.

“ The Duke immediately ordered *Hudleston*, the
 “ Priest that had a great Hand in saving the King
 “ at *Worcester* Fight, (for which he was excepted
 “ out of all severe Acts that were made against
 “ Priests) to be brought to the Lodgings under the
 “ Bed-chamber : And, when he was told what was
 “ to be done, he was in great Confusion, for he
 “ had no *Hostie* about him. But he went to another
 “ Priest that lived in the Court, who gave him the
 “ Pix with an *Hostie* in it. But that poor Priest
 “ was so frightened, that he ran out of *Whitehall* in
 “ such haste, that he struck against a Post, and
 “ seemed to be in a Fit of Madness with Fear. As
 “ soon as *Hudleston* had prepared every Thing that
 “ was necessary, the Duke whispered the King in
 “ the Ear, upon that the King ordered that all who
 “ were in the Bed-chamber should withdraw, ex-
 “ cept the Earls of *Bath* and *Feverham* ; and the
 “ Door was double locked. The Company was
 “ kept out half an Hour : Only Lord *Feverham*
 “ opened the Door once, and called for a Glas of
 “ Water. Cardinal *Howard* told me at *Rome*, that
 “ *Hudleston* according to the Relation that he sent
 “ thither, made the King go through some Acts of
 “ Contrition, and, after such a Confession as he could
 “ then make, he gave him Absolution and the other
 “ Sacraments

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“ Sacraments. The *Hosie* stuck in his Throat : And
 “ that was the Occasion of calling for a Glas of
 “ Water. He also gave him extream Unction. All
 “ must have been performed very superficially, since
 “ it was so soon ended. But the King seemed to be
 “ at great Ease upon it. It was given out, that
 “ the King said to *Huddleston*, that he had saved
 “ him twice, first his Body and now his Soul ; and
 “ that he asked him, if he would have him declare
 “ himself to be of their Church. But it seems he
 “ was prepared for this, and so diverted the King
 “ from it ; and said, he took it upon him to satisfy
 “ the World in that particular. But though by the
 “ Principles of all Religions whatsoever, he ought to
 “ have obliged him to make open Profession of his
 “ Religion ; yet, it seems, the Consequences of that
 “ were apprehended ; for without Doubt, that poor
 “ Priest acted by the Directions that were given him.
 “ The Company was suffered to come in. And the
 “ King went through the Agonies of Death, with a
 “ Calm and a Constancy, that amazed all who were
 “ about him, and knew how he had lived. This
 “ made some conclude, that he had made a Will,
 “ and that his Quiet was the Effect of that. *Ken*
 “ applied himself much to the awakening the King’s
 “ Conscience. He spoke with a great Elevation,
 “ both of Thought and Expression, like a Man in-
 “ spired, as those who were present told me. He
 “ resumed the Matter often, and pronounced many
 “ short Ejaculations and Prayers, which affected all
 “ that were present, except him that was the most
 “ concerned, who seemed to take no Notice of him,
 “ and made no Answers to him. He pressed the
 “ King six or seven Times to receive the Sacra-
 “ ment ; but the King always declined it, saying, he
 “ was very weak. A Table with the Elements upon
 “ it, ready to be consecrated, was brought into the
 “ Room, which occasioned a Report to be then
 “ spread about, that he had received it. *Ken* pres-
 “ sed him to declare that he desired it, and that he
 “ died

“ died in the Communion of the Church of *England*.
 “ To that he answered Nothing. *Ken* asked him if
 “ he desired Absolution of his Sins. It seems the
 “ King, if he then thought any thing at all, thought
 “ that would do him no Hurt. So *Ken* pronounced
 “ it over him : For which he was blamed, since the
 “ King expressed no Sense, or Sorrow for his past
 “ Life, nor any Purpose of Amendment. It was
 “ thought to be a Prostitution of the Peace of the
 “ Church, to give it to one, who, after a Life led as
 “ the King’s had been, seemed to harden himself a-
 “ gainst every Thing that could be said to him. *Ken*
 “ was also censured for another Piece of Indecency :
 “ He presented the Duke of *Richmond*, Lady *Portf-*
 “ *mouth*’s Son, to be blessed by the King. Upon
 “ this, some that were in the Room cried out, the
 “ King was their common Father. And upon that
 “ all kneeled down for his Blessing, which he gave
 “ them. The King suffered much inwardly, and said,
 “ he was burnt up within ; of which he complained
 “ often, but with great Decency. He said once, he
 “ hoped he should climb up to Heaven’s Gates, which
 “ was the only Word favouring of Religion that he
 “ was heard to speak.

“ He gathered all his Strength to speak his last
 “ Words to the Duke, to which every one hearken-
 “ ed with great Attention. He expressed his Kind-
 “ nefs to him, and that he now delivered all over to
 “ him with great Joy. He recommended Lady
 “ *Portsmouth* over and over again to him. He said,
 “ he had always loved her, and he loved her to the
 “ last ; and besought the Duke, in as melting Words
 “ as he could fetch out, to be very kind to her and
 “ to her Son. He recommended his other Children
 “ to him : And concluded, let not poor *Nelly* starve,
 “ that was Mrs. *Gwyn*. But he said nothing of the
 “ Queen, nor any one Word of his People, or of
 “ his Servants ; Nor did he speak one Word of Re-
 “ ligion, or concerning the Payment of his Debts;
 “ though he left behind him about 90000 Guineas;
 Vol. XIV. B b “ which

1684-5. “ which he had gathered either out of the Privy-
 “ Purse, or out of the Money that was sent him
 “ from *France*, or by other Methods, and which he
 “ had kept so secretly that no Person whatsoever
 “ knew any thing of it.

“ He continued in the Agony until *Friday* at Eleven
 “ a-Clock, being the 6th of *February* 1684-5 ; and
 “ then dyed in the Fifty-fourth Year of his Age,
 “ after he had reigned, if we reckon from his Fa-
 “ ther’s Death, Thirty-six Years and eight Days ; or
 “ if we reckon from his Restoration, Twenty-four
 “ Years, eight Months, and nine Days. There were
 “ many very apparent Suspicions of his being poiso-
 “ ned : For though the first Access looked like an A-
 “ poplexy, yet it was plain in the Progress of it, that
 “ it was no Apoplexy. When his Body was opened,
 “ the Physicians who viewed it were, as it were, led
 “ by those, who might suspect the Truth, to look
 “ upon the Parts that were certainly sound. But
 “ both *Lower*, and *Needham*, two famous Physicians,
 “ told me, they plainly discerned two or three blue
 “ Spots on the Out-side of the Stomach. *Needham*
 “ called twice to have it opened, but the Surgeons
 “ seemed not to hear him. And when he moved it
 “ a second Time, he, as he told me, heard *Lower*
 “ say to one who stood next him, *Needham* will undo
 “ us, calling thus to have the Stomach opened ; for
 “ he may see they will not do it. They were diverted
 “ to look to somewhat else : And when they return-
 “ ed to look upon the Stomach, it was carried away :
 “ So it was never viewed. *Le Fevre* a *French* Phy-
 “ sician, told me, he saw a Blackness in the Shoulder :
 “ Upon which he made an Incision, and saw it was
 “ all mortified. *Short*, another Physician, who was
 “ a *Papist*, but after a Form of his own, did very
 “ much suspect foul Dealing. And he talked more
 “ freely of it, than any of the *Protestants* durst do
 “ at that Time. But he was not long after taken
 “ suddenly ill, upon a large Draught of Wormwood-
 “ Wine which he had drunk in the House of a Po-
 “ pish

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“ *pish* Patient that lived near the *Tower* who had sent for him: Upon this he dyed, and, as he said to *Lower*, *Millington*, and some other Physicians, he believed that he himself was poisoned for his having spoken so freely of the King’s Death.

“ The King’s Body was indecently neglected; some Parts of his Inwards, and some Pieces of the Fat, were left in the Water in which they were washed: All which were so carelessly looked after, that the Water being poured out of a scullery Hole, that went to a Drain, in the Mouth of which a Grate lay, these were seen lying on the Grate many Days after. His Funeral was very mean. He did not lie in State; no Mournings were given: And the Expence of it was not equal to what an ordinary Nobleman’s Funeral will rise to. Many upon this said, that he deserved better of his Brother, than to be thus ungratefully treated in Ceremonies that are publick, and make an Impression on those that see them, and who will make severe Observations and Inferences upon such Omissions.

“ But since I have mentioned the Suspicions of Poyson as the Cause of his Death, I must add, that I never heard any lay those Suspicions on his Brother. But his dying so critically, as it were in the Minute in which he seemed to begin a Turn of Affairs, made it to be generally the more believed, and that the *Papists* had done it, either by the Means of some of Lady *Portsmouth*’s Servants, or, as some fancied, by poysoned Snuff: For so many of the small Veins of the Brain were burst, that the Brain was in great Disorder, and no Judgment could be made concerning it. To this I shall add a very surprizing Story, that I had in November 1709, from Mr. *Henly* of *Hampshire*. He told me, that, when the Dutcheß of *Portsmouth* came over to *England* in 1699, he heard, that she talked as if King *Charles* had been poisoned; which he desiring to have from her own Mouth, she gave him this Account of it. She was always

1684-5. " pressing the King to make both himself and his
 " People easy, and to come to a full Agreement
 " with his Parliament: And he was come to a final
 " Resolution of sending away his Brother, and of
 " calling a Parliament; which was to have been executed
 " the next Day after he fell into that Fit of
 " which he died. She was put upon the Secret, and
 " spoke of it to no Person alive but to her Confessor:
 " But the Confessor, she believed, told it some,
 " who seeing what was to follow, took that wicked
 " Course to prevent it. Having this from so worthy
 " a Person, as I have set it down without adding
 " the least Circumstance to it, I thought it too important
 " not to be mentioned in this History. It
 " discovers both the Knavery of Confessors, and the
 " Practices of Papists so evidently, that there is no
 " need of making any further Reflections on it."

*Other Particulars
 relating to
 the Death
 of King
 Charles II.*

These two Relations of the Death of King *Charles II.* agree in the principal Circumstances, particularly in the Suspicion that was entertained of his being poisoned. Sundry other Accounts have been given of his Death, in which are Circumstances not to be met with here, and several others omitted which are here related. It is said that at the Persuasion of Bishop *Ken* the King at last resolved to dismiss the Dutchess of *Portsmouth*, and that sending for the Queen he asked her Forgiveness of the Wrong he had done her. It is added, that he had the Satisfaction to see himself heartily forgiven by the Queen. This directly contradicts Dr. *Burnet's* Account of the Dutchess of *Portsmouth*, and her Behaviour in the King's last Illness. Some have said that *Huddleston* was not brought to the King till he had lost all Sense, and that he received the Sacrament of *extreme Unction* without giving any Sign either of his Approbation or Refusal. It is pretended that he advised the Duke his Brother not to think of introducing Popery into *England*, because he looked on it as altogether impracticable. Lastly, some have barely said that the Physicians
 and

and Surgeons inspecting the Body discovered no Mark of Poison, and they have entirely omitted the Particulars of the Stomach given in the foregoing Relations, though they make no Scruple of owning the Suspicion of the King's being poisoned; but they would have this Suspicion to be spread and countenanced solely by the Enemies of the Duke of York and of the *Papists*.

It is agreed on all Hands, that no body had the Boldness to accuse the Duke of York of poisoning his Brother. But it is not to be concluded from thence that no Body believed it, Those who might have entertained this Suspicion, would not have ventured upon a Danger so great as that of accusing the Successor, without being in a Capacity to prove it, The *Papists* in general are accused, but this in so loose and uncertain a Manner, that no one knows where to apply it when it is removed from the Duke of York their Head. Besides, one sees that the Inspection of the dead Body was managed in a proper Way to dissipate all Suspicions of Poison; but who directed the Physicians or Surgeons is a Secret, at least the Brother of the Deceased does not appear to have concerned himself much in this Inspection, though the Suspicions of Poison were very violent. These things leave this Matter very much in the Dark, which gives every Man room to judge as he pleases. Thus much is certain, there is no explicit Proof that King Charles II was poisoned, or if there was, the Authors of his Death remain hitherto concealed.

It is by no Means surprizing that Historians or others agree not in their Character of Charles II, when it is considered that he was the Head and Protector of one of the two Parties, and the Persecutor of the other. This must have necessarily produced a Diversity of Characters as given by *Tories* or *Whigs*. When we read immediately one after another the Writers of the two Parties who have spoken of this Prince in general, or given his Character, we are almost inclined to think that they speak of two different

*A Remark
on the
Character
of Charles
II.*

1684-5. ferent Kings of the same Name. The one by several Omissions endeavour to hide every thing that was bad in his Character, or if they speak of it, it is very succinctly, and always with some Addition or Insinuation tending to justify his Conduct and Failings. The others dwell chiefly upon what will blacken his Character, and represent him as acting by the worst Motives, and upon Principles directly opposite to the Welfare of his Kingdom. If these Writers take any notice of his good Qualities, it is only to make him more faulty, and to demonstrate that he sinned not through Ignorance, but with Premeditation. Whatever Side I follow in giving the Character of this Prince, I cannot avoid Blame from one or the other Party: If I attempt to give it my self, I shall gain but little by supporting my Testimony upon the Credit of one or the other Parties. Nevertheless, as the Reader doubtless expects to know something more of the Character of this King than he could have from the general History of his Reign, I chuse to give him what is left us by Dr. *Burnet* on this Subject in the History of his own Times. I own that this Character taken all together appears to me the most resembling King *Charles II*, and the most agreeable to the History of his Life. I could wish nevertheless that this illustrious Prelate had omitted, or at least softened some of his Strokes, which appear to me a little over-charged, and seem to discover some Passion in the Author. However that be, he concludes the History of this Prince in the following Manner:

Thus lived and died King *Charles* the Second. He was the greatest Instance in History of the various Revolutions of which any one Man seemed capable. He was bred up the Twelve first Years of his Life with the Splendour that became the Heir of so great a Crown. After that he passed through Eighteen Years in great Inequalities, unhappy in the War, in the Loss of his Father, and of the Crown

' Crown of *England*. *Scotland* did not only receive
 ' him, though upon Terms hard of Digestion, but
 ' made an Attempt upon *England* for him, though a
 ' feeble one. He lost the Battle of *Worcester* with
 ' too much Indifference: and then he shewed more
 ' Care of his Person, than became one, who had so
 ' much at Stake. He wandered about *England* for
 ' Ten Weeks after that, hiding from Place to Place.
 ' But under all the Oppressions he had then upon
 ' him, he shewed a Temper so careless and so much
 ' turned to Levity, that he was then diverting him-
 ' self with little household Sports, in as unconcerned a
 ' Manner as if he had suffered no Loss, and had been
 ' in no Danger at all. He got at last out of *Eng-*
 ' *land*. But he had been obliged to so many, who
 ' had been faithful to him and careful of him, that he
 ' seemed afterwards to resolve to make an equal Re-
 ' turn to them all. And finding it not easy to re-
 ' ward them all as they deserved, he forgot them all
 ' alike. Most Princes seem to have this pretty deep
 ' in them; and to think they ought never to remem-
 ' ber past Services, but that their Acceptance of
 ' them is a full Reward. He, of all in our Age,
 ' exerted this Piece of Prerogative in the amplest
 ' Manner: For he never seemed to charge his Me-
 ' mory, or to trouble his Thoughts with the Sense
 ' of any of the Services that had been done him.
 ' While he was abroad at *Paris*, *Colen*, or *Brussels*,
 ' he never seemed to lay any thing to Heart. He
 ' pursued all his Diversions and irregular Pleasures
 ' in a free Carreer; and seemed to be as serene under
 ' the Loss of a Crown, as the greatest Philosopher
 ' could have been. Nor did he willingly hearken to
 ' any of those Projects, with which he often com-
 ' plained that his Chancellor persecuted him. That
 ' in which he seemed most concerned was, to find
 ' Money for supporting his Expence. And it was
 ' often said, that if *Cromwell* would have compound-
 ' ed the Matter, and have given him a good round
 ' Pension, that he might have been induced to re-

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• sign his Title to him. During his Exile he deli-
 • vered himself so entirely up to his Pleasures, that he
 • became incapable of Application. He spent little
 • of his Time in Reading, or Study, and yet less in
 • Thinking. And in the State his Affairs were then
 • in, he accustom'd himself to say to every Person,
 • and upon all Occasions, that which he thought
 • would please most: so that Words or Promises
 • went very easily from him. And he had so ill an
 • Opinion of Mankind, that he thought the great
 • Art of Living and Governing was, to manage all
 • Things and all Persons with a Depth of Craft and
 • Dissimulation. And in that, few Men in the World
 • could put on the Appearances of Sincerity better
 • than he could: Under which so much Artifice was
 • usually hid, that in Conclusion he could deceive
 • none, for all were become mistrustful of him. He
 • had great Vices, but scarce any Virtues to correct
 • them: He had in him some Vices that were less
 • hurtful, which corrected his more hurtful ones. He
 • was, during the active Part of his Life, given up
 • to Sloth and Lewdness to such a Degree, that he
 • hated Business, and could not bear the engaging in
 • any thing that gave him much Trouble, or put him
 • under any Constraint. And though he desired to
 • become absolute, and to overturn both our Reli-
 • gion and our Laws, yet he would neither run the
 • Risk, nor give himself the Trouble, which so great
 • a Design required. He had an Appearance of Gen-
 • tleness in his outward Deportment: but he seem'd
 • to have no Bowels nor Tenderneſs in his Nature:
 • and in the End of his Life he became Cruel. He
 • was apt to forgive all Crimes, even Blood itself:
 • Yet he never forgave any thing that was done against
 • himself, after his first and general Act of Indem-
 • nity, which was to be reckon'd as rather done up-
 • on Maxims of State, than Inclinations of Mercy.
 • He deliver'd himself up to a most enormous
 • Course of Vice, without any sort of Restrain-
 • even from the Consideration of the nearest Rela-
 • tions;

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tions ; the most studied extravagancies that way seemed to the very last to be much delighted in, and pursued by him. He had the Art of making all People grow fond of him at first, by a Softness in his whole way of Conversation, as he was certainly the best bred Man of the Age. But when it appeared how little could be built on his Promise, they were cured of the Fondness that he was apt to raise in them. When he saw young Men of Quality, who had something more than ordinary in them, he drew them about him, and set himself to corrupt them both in Religion and Morality ; in which he proved so unhappily successful, that he left *England* much changed at his Death, from what he had found it at his Restoration. He loved to talk over all the Stories of his Life to every new Man that came about him. His Stay in *Scotland*, and the Share he had in the War of *Paris*, in carrying Messages from the one Side to the other, were his common Topicks. He went over these in a very graceful Manner ; but so often, and so copiously, that all those who had been long accustomed to them grew weary of them : And when he entered on those Stories, they usually withdrew : So that he often began them in a full Audience, and before he had done, there were not above four or five left about him ; which drew a severe Jest from *Willmot* Earl of *Rochester*. He said, *He wondered to see a Man have so good a Memory, as to repeat the same Story without losing the least Circumstance, and yet not remember that he had told it to the same Persons the very Day before.* This made him fond of Strangers ; for they hearkened to all his often-repeated Stories, and went away as in a Rapture, at such uncommon Condescension in a King.

His Person and Temper, his Vices as well as his Fortune, resemble the Character that we have given us of *Tiberius* so much, that it were easy to draw the Parallel between them. *Tiberius's* Banishment, and his coming afterwards to Reign, makes the

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‘ the Comparison in that respect come pretty near.
 ‘ His Hating of Business, and his Love of Pleasures ;
 ‘ his Raising of Favourites, and Truſting them entire-
 ‘ ly, and his Pulling them down, and Hating them
 ‘ exceſſively ; his Art of covering deep Deſigns,
 ‘ particularly of Revenge, with an Appearance of
 ‘ Softneſs, brings them ſo near a Likeneſs, that I
 ‘ did not wonder much to obſerve the Reſemblance
 ‘ of their Face and Perſon. At *Rome* I ſaw one of
 ‘ the laſt Statues made for *Tiberius* after he had loſt
 ‘ his Teeth. But, bating the Alteration which that
 ‘ made, it was ſo like King *Charles*, that Prince
 ‘ *Borghese* and *Signior Dominico* to whom it belonged,
 ‘ did agree with me in thinking that it looked like a
 ‘ Statue made for him.

‘ Few things ever went near his Heart ; the Duke
 ‘ of *Glouceſter*’s Death ſeemed to touch him much.
 ‘ But thoſe who knew him beſt thought it was, be-
 ‘ cauſe he had loſt him, by whom only he could have
 ‘ balanced the ſurviving Brother, whom he hated,
 ‘ and yet embroiled all his Affairs to preſerve the
 ‘ Succeſſion to him.

‘ His ill Conduct in the firſt *Dutch War*, and
 ‘ thoſe terrible Calamities of the Plague, and Fire of
 ‘ *London*, with that Loſs and Reproach which he
 ‘ ſuffered by the Inſult at *Chatham*, made all People
 ‘ conclude there was a Curſe upon his Government.
 ‘ His throwing the publick Hatred at that time upon
 ‘ Lord *Clarendon* was both unjuſt and ungrateful.
 ‘ And when his People had brought him out of all
 ‘ his Difficulties, upon his entering into the Tripple-
 ‘ Alliance, his ſelling that to *France*, and his entering
 ‘ on the ſecond *Dutch War* with as little colour as he
 ‘ had for the firſt ; his Beginning it with the At-
 ‘ tempt on the *Dutch Smyrna Fleet* ; the ſhutting
 ‘ up the *Exchequer* ; and his Declaration for Tole-
 ‘ ration, which was a Step for the Introduction of
 ‘ Popery ; make ſuch a Chain of black Actions
 ‘ flowing from blacker Deſigns, that it amazed thoſe
 ‘ who had known all this, to ſee with what impudent
 ‘ Strains

‘ Strains of Flattery Addressees were penned during
‘ his Life, and yet more grossly after his Death.
‘ His contributing so much towards the raising of the
‘ Greatness of *France*, chiefly at Sea, was such an
‘ Errour, that it could not flow from want of
‘ Thought or true Sense. *Rouvigny* told me, he de-
‘ sired that all the Methods the *French* took in the
‘ Increase and Conduct of their naval Force might
‘ be sent him, And, he said, he seemed to study
‘ them with Concern and Zeal. He shewed what Er-
‘ rours they committed, and how they ought to be
‘ corrected, as if he had been a Viceroy to *France*,
‘ rather than a King that ought to have watched
‘ over and prevented the Progress they made, as
‘ the greatest of all the Mischiefs that could happen
‘ to him or his People. They that judged the most
‘ favourably of this, thought it was done out of
‘ Revenge to the *Dutch*, that, with the Assistance of
‘ so great a Fleet as *France* could join to his own, he
‘ might be able to destroy them. But others put a
‘ worse Construction on it; and thought, that seeing
‘ he could not quite master or deceive his Subjects
‘ by his own Strength and Management, he was
‘ willing to help forward the Greatness of the *French*
‘ at Sea, that by their Assistance he might more cer-
‘ tainly subdue his own People; according to what
‘ was generally believed to have fallen from Lord
‘ *Clifford*, *That if the King must be in a Dependance, it*
‘ *was better to pay it to a great and generous King, than*
‘ *to Five Hundred of his own insolent Subjects.* No part
‘ of his Character looked wickeder as well as meaner,
‘ than that he, all the while that he was professing to
‘ be of the Church of *England*, and expressing both
‘ Zeal and Affection to it, was yet secretly reconciled
‘ to the Church of *Rome*: Thus mocking God, and
‘ deceiving the World with so gross a Prevarication.
‘ And his not having the Honesty or Courage to
‘ own it at last: His not shewing any Sign of the
‘ least Remorse for his ill led Life, or any Tender-
‘ ness either for his Subjects in general, or for the
‘ Queen

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‘ Queen and his Servants: And his Recommending
 ‘ only his Mistresses and their Children to his Bro-
 ‘ ther’s Care, would have been a strange Conclusion
 ‘ to any other’s Life, but was well enough suited to
 ‘ all the other Parts of his.

‘ The two Papers found in his Strong-Box con-
 ‘ cerning Religion, and afterwards published by his
 ‘ Brother, looked like Study and Reasoning. *Ten-*
 ‘ *nison* told me he saw the Original in *Pepy’s* Hand,
 ‘ to whom King *James* trusted them for some time ;
 ‘ they were interlined in several Places. And the
 ‘ Interlinings seemed to be written in a Hand different
 ‘ from that in which the Papers were written. But he
 ‘ was not so well acquainted with the King’s Hand,
 ‘ as to make any Judgement in the Matter, whether
 ‘ they were written by him or not. All that knew him
 ‘ when they read them, did without any sort of doubt-
 ‘ ing conclude, that he never composed them : For
 ‘ he never read the Scriptures, or laid Things toge-
 ‘ ther, further than to turn them to a Jest, or for
 ‘ some lively Expression. These Papers were pro-
 ‘ bably written either by Lord *Bristol*, or by Lord
 ‘ *Aubigny*, who knew the Secret of his Religion, and
 ‘ gave him those Papers, as Abstracts of some Dis-
 ‘ courses they had with him on those Heads, to keep
 ‘ him fixed to them. And it is very probable that
 ‘ they, apprehending their Danger, if any such Papers
 ‘ had been found about him written in their Hand,
 ‘ might prevail with him to copy them out himself,
 ‘ though his Laziness that way made it certainly no
 ‘ easy Thing to bring him to give himself so much
 ‘ trouble. He had talked over a great Part of them
 ‘ to my self : So that as soon as I saw them I remem-
 ‘ bred his Expressions, and perceived that he had
 ‘ made himself Master of the Argument as far as
 ‘ those Papers could carry him. But the publishing
 ‘ them shewed a Want of Judgement, or of Regard
 ‘ to his Memory in those who did it : For the great-
 ‘ est Kindness that could be shewn to his Memory,
 ‘ would

‘ would have been to let both his Papers and himself
 ‘ be forgotten.” 1684-5.

After having seen in this Character all that can be said to the Disadvantage of *Charles II*, the Reader doubtless will not be displeased to meet with a somewhat different Description of the same Prince, drawn by a very able Hand, I mean that of the Earl of *Mulgrave*, who was by no Means an Enemy to the King, or the Royal Family. He has laboured this Character with all possible Care. I omit a small Introduction which relates purely to the Author, to come at once to the Character of the King.

‘ As to the King’s Religion, it was more *Deism* than
 ‘ *Popery*; which he owed more to the Liveliness of
 ‘ his Parts, and *Carelessness* of his Temper, than ei-
 ‘ ther to Reading, or much Consideration; for his
 ‘ Quickness of Apprehension, at first View, could
 ‘ discern through the several Cheats of pious Preten-
 ‘ ces; and his natural *Laziness* confirmed him in an
 ‘ equal *Mistrust* of them all, for fear he should be
 ‘ troubled with examining which Religion was best.
 ‘ If in his early *Travels*, and late Administration, he
 ‘ seemed a little biassed to one sort of Religion; the
 ‘ first is only to be imputed to a certain Easiness of
 ‘ Temper, and a Complaisance for that Company he
 ‘ then was forced to keep; and the last was no
 ‘ more than being tired, which he soon was in any
 ‘ Difficulty, with those bold Oppositions in Parlia-
 ‘ ment, which made him almost throw himself into
 ‘ the Arms of a *Roman-Catholick* Party, so remark-
 ‘ able in *England* for their Loyalty, who embraced
 ‘ him gladly, and lulled him asleep with those en-
 ‘ chanting Songs of absolute *Sovereignty*, which the
 ‘ best and wisest of Princes are often unable to re-
 ‘ sist. And though he engaged himself on that Side
 ‘ more fully, at a Time when it is in vain, and too
 ‘ late to dissemble, we ought less to wonder at it,
 ‘ than to consider that our very Judgements are apt
 ‘ to

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' to grow in Time as partial as our Affections: And
 ' thus by Accident only, he became of their Opini-
 ' on in his *Weaknesses*, who had so much endeavour-
 ' ed always to contribute to his Power. He loved
 ' *Ease* and *Quiet*; to which his unnecessary Wars are
 ' so far from being a Contradiction, that they are
 ' rather a Proof of it, since they were made chiefly
 ' to comply with those Persons, whose Dissatisfaction
 ' would have proved more uneasy to one of his Hu-
 ' mour, than all that distant Noise of Cannon, which
 ' he would often listen to with a great deal of Tran-
 ' quillity. Besides the great and almost only Plea-
 ' sure of Mind he appeared addicted to, was *Ship-*
 ' *ping* and *Sea-Affairs*; which seemed to be so much
 ' his Talent for *Knowledge* as well as *Inclination*; that
 ' a War of that Kind was rather an *Entertainment*,
 ' than any Disturbance to his *Thoughts*. If he did not
 ' go himself at the Head so so magnificent a Fleet,
 ' it is only to be imputed to that *Eagerness* of Mili-
 ' tary Glory in his Brother; which under the shew
 ' of a decent Care for preserving the *Royal Person*
 ' from Danger, engrossed all that sort of Honour to
 ' himself, with as much Jealousy of any other's Inter-
 ' posing in it, as a King of another Temper would
 ' have had of *His*, though without Reason; it is
 ' certain, no Prince was ever more fitted by Nature
 ' for his Country's Interest than he was in all his
 ' *Maritime Inclinations*; which might have proved of
 ' sufficient Advantage to the Nation, if he had been
 ' as careful in depressing all such Improvements in
 ' *France*, as of advancing and encouraging our own:
 ' But it seems he wanted *Jealousy* in all his Inclinati-
 ' ons, which leads us to consider him in his *Pleasures*:
 ' Where he was rather *Abandoned* than *Luxurious*;
 ' and like our Female Libertines, apter to be de-
 ' bauched for the Satisfaction of *others*, than to seek
 ' with Choice, where most to please himself. I am
 ' of Opinion also, that in his latter Time, there was
 ' as much of *Laziness* as of *Love*, in all those Hours
 ' he passed among his *Mistresses*; who after all, on-
 ' ly

ly served to fill up his *Seraglio*, while a bewitching kind of Pleasure, called *Sauntering*, and talking without any *Constraint*, was the true *Sultana Queen* he delighted in.

He was surely inclined to *Justice*; for nothing else would have retained him so fast to the Succession of a Brother, against a Son he was so fond of, and the Humour of a Party which he so much feared. I am willing also to impute to his *Justice*, whatever seems in some Measure to contradict the general Opinion of his *Clemency*; as his suffering always the Rigour of the Law to proceed, not only against all *Highway-men*, but also several others, in whose Cases the Lawyers, according to their wonted Custom, had sometimes used a great deal of *Hardship* and *Severity*. His Understanding was quick and lively in *little Things*, and sometimes would soar high enough in *Great Ones*, but unable to keep it up with any long Attention or Application. Witty in all sorts of Conversation; and telling a Story so well, that not out of Flattery, but for the Pleasure of hearing it, we used to seem Ignorant of what he had repeated to us ten Times before, as a good Comedy will bear the being often seen. Of a wonderful *Mixture*; losing all his Time, and till of late setting his whole Heart on the Fair Sex, yet neither angry with Rivals, nor in the least nice as to their being beloved; and while he sacrificed all Things to his Mistresses, he would use to grudge and be uneasy at their losing a little of it again at Play, though never so necessary for their Diversion: Nor would he venture five Pounds at *Tennis* to those Servants, who might obtain as many Thousands, either before he came thither, or as soon as he left off. Not false to his Word, but full of *Disimulation*, and very *Adroit* at it, yet no Man easier to be imposed on; for his great Dexterity was in cozening himself, by gaining a little one way, whilst he lost ten Times as much another; and by caressing those Persons
‘ most,

‘ most, who had deluded him the ofteneſt ; and yet
 ‘ the quickeſt in the World at ſpying ſuch a Ridi-
 ‘ cule in another. Familiar, *Easy*, and Good-natu-
 ‘ red ; but for great Offences ſevere and *inflexible* :
 ‘ And in one Week’s Abſence, quite forgetting
 ‘ thoſe Servants, to whoſe Faces he could hardly de-
 ‘ ny any Thing. In the miſt of all his *Remiſſneſs*,
 ‘ ſo induſtrious and indefatigable on ſome particu-
 ‘ lar Occaſions, that no Man would either toil long-
 ‘ er, or be able to manage it better.

‘ He was ſo *Liberal*, as to ruin his Affairs by it ;
 ‘ for Want in a King of *England*, turns Things juſt
 ‘ upſide down, and expoſes a Prince to his People’s
 ‘ *Mercy*. It did yet worſe in him, for it forced him
 ‘ alſo to depend on his great Neighbour of *France* ;
 ‘ who played the Broker with him ſufficiently in all
 ‘ thoſe Times of Extremity. Yet this *Profuſeneſs* of
 ‘ his did not ſo much proceed from his over-valuing
 ‘ thoſe he favoured, as from his Under-valuing any
 ‘ Sums of Money which he did not ſee ; though he
 ‘ found his Errour in this ; but I muſt confeſs a little
 ‘ of the lateſt. He had ſo natural an Averſion to
 ‘ all *Formality*, that with as much Wit as moſt Men
 ‘ ever had, and with as Maſtick a Mein, yet he
 ‘ could not on Premeditation act the Part of a King
 ‘ for a Moment, either at Parliament, or at Coun-
 ‘ cil, either in *Words* or *Gefuture* ; which carried him
 ‘ into the other Extream, more inconvenient of the
 ‘ two, of letting all *Diſtinction* and *Ceremony* fall to
 ‘ the Ground, as uſeleſs and ſoppish. His Temper,
 ‘ both of Body and Mind was admirable, which
 ‘ made him an eaſy generous *Lover*, a civil obliging
 ‘ *Husband*, a friendly *Brother*, an indulgent *Father*,
 ‘ and a good-natured *Maſter*. If he had been as
 ‘ ſollicitous about improving the Faculties of his
 ‘ Mind, as he was in the Management of his Bodily
 ‘ Health ; though, alas ! this proved unable to
 ‘ make his Life long. That had not failed to have
 ‘ made it famous. He was an *Illuſtrious* Exception of
 ‘ all the common Rules of *Phyſiognomy* : For with a

most *Saturnine* harsh sort of Countenance, he was both of a *Merry* and *Merciful* Disposition ; and the last Thirty Years of his Life, as *Fortunate*, as those of his Father had been dismal and tumultuous.

If his Death had some *Appearance* of being untimely, it may be partly imputed to his extreme healthy Constitution, which made the World as much surprized at his dying before Threescore, as if nothing but an ill Accident could have killed him. I would not say any Thing on so sad a Subject, if I did not think that *Silence* it self would in such a Case signify too much ; and therefore, as an impartial Writer, I am obliged to observe, that the most knowing, and the most discerning of his Physicians (Doctor *Short*) did not only believe him Poisoned, but thought himself so too not long after, for having declared his Opinion a little too boldly. But here I must needs take notice of an unusual Piece of Justice, which yet all the World has almost unanimously agreed in ; I mean, in not suspecting the Successor of the least Connivance in so horrid a Villany ; and perhaps there is hardly a more remarkable Instance of that Invincible Power of *Truth* and *Innocence* : For it is next to a Miracle, that so *unfortunate* a Prince, in the midst of all those Disadvantages he lies under, should be yet cleared of this, even by his greatest Enemies ; notwithstanding all those Circumstances that used to give a Suspicion, and that *extream Malice* which has of late attended him in all his other Actions.

After these two different Characters given of King Charles II, from such able Hands, I think my self obliged to draw a sort of Parallel in order to assist the Reader in the Discovery of the Truth. Doctor Burnet Bishop of Salisbury was by Birth a Scotchman. He had been educated amongst the *Episcopalians* ; but notwithstanding he had been always accused of having a Tincture of *Presbyterianism*, which was

A Comparison between the two foregoing Characters.

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It is not difficult to discover that the Character of *Charles II*, given by the Bishop of *Salisbury* is very much loaded. That the Painter has taken Care to draw all the Strokes very strong, which he thought might help to preserve a Likeness between the Picture and the Original, without having any Regard to the Reputation of this Prince. It is even easy to perceive, that it is by no means improbable that he delivered his Sentiments with Prejudice, and that this Prejudice prevailed with him to credit too lightly whatever he had received upon Hearsay to the King's Disadvantage. For Instance, what he advances, that *Charles* after the Battle of *Worcester* showed a Temper so careless, that he was then diverting himself with Trifles in as unconcerned a manner as if he had sustained no Loss, and had been in no Danger at all, appears to me to be carried a little too far. It is not even probable, that the Doctor could receive his Information of the King's Actions at that Time, from Eye-Witnesses. When he says that the King had many Vices, and scarce any Virtues, one easily discerns that this is the Language of Passion and Prejudice. When he says again, that the King never pardoned any Offence committed against himself, this must needs be aggravated. For if he took a merciless Revenge upon the Lord *Russel*, Colonel *Sidney*, Sir *Thomas Armstrong*, and some others, yet it cannot from thence be inferred that he never forgave. Such Expressions excepted, which discover some Passion in the Author; the Rest of *Charles II*'s Character as left us by the Bishop is true in the main. And I am persuaded of this from its Conformity to the His-

tory of his Reign, and from the Earl of *Mulgrave's* making use of the same Strokes with Doctor *Burnet*, to hit a Likeness. All the Difference betwixt these two Authors is, that in the Picture left us by the one, the Principal Lines are drawn in the strongest Colours, and with great Softnings in that of the other.

The Earl of *Mulgrave*, afterwards Marquess of *Normanby*, and then Duke of *Buckinghamshire*, was entirely in the *Tory*-Faction; and if common Report may be credited, his Religion, like that of *Charles II.*, was *Deism*. In the Description he has left us of this Prince, he denies not the general Suspicion of his being poisoned. Doctor *Burnet* says likewise the same Thing. The Earl insists that no Person suspected the Duke of *York* of the least Connivance in so horrid a Villany. The same is likewise to be found in Doctor *Burnet*. If the last says that King *Charles* was a *Papist*, this is not denied by the first. He only ascribes his Change to two Causes, the one the Company which he kept in his Exile, and the other the Opposition which he met with from the Parliament, which threw him into the Arms of the *Papists*. If the first of these Causes be true, the second cannot, since the King was not twice a *Papist*. Besides the Oppositions of the Parliament were partly owing to a Belief that he designed to introduce *Popery*.

Doctor *Burnet* says, that *Charles* was incapable of any Application. The Earl of *Mulgrave* says it in the same Terms. The Doctor says, that the King was for rendering himself absolute. If the Earl says it not in express Terms, he sufficiently intimates it, by saying, *That the Roman Catholick Party lulled him asleep with the enchanting Songs of absolute Sovereignty*. The Doctor says, that the King was apt to forgive all Crimes, but never forgave any Thing that was done against himself. The Earl praises his Clemency, and says, *he was easy and good natured, but in great Offences severe and inflexible*. This may be the Doctor's Meaning expressed in other Words.

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The Stories which the King pleased himself with telling, are met with in both Characters. The only Difference is, that the Doctor says the Company grew tired with the Repetition of them; and the Earl says, that the Hearers were pleased with it. But the Raillery of the Earl of *Rocheſter* turns the Balance on the Side of the Doctor.

The Doctor says that *Charles* engaged in two Wars againſt *Holland* without any Colour, and the Earl calls theſe Wars *unnecessary*.

The Doctor ſays, that he contributed to the raiſing of the Greatneſs of *France* at Sea; and the Earl ſays, that he was not ſufficiently careful to *depreſs the Improvements of France* this way, and that here he wanted Jealouſy. Is not this very near the ſame Thing?

In ſhort, let theſe two Characters be compared with all the Exactneſs poſſible, and we ſhall find them very like, but that the two Painters had different Views, and purſued different Methods. One propoſed to himſelf to expreſs ſtrongly the Lines which might moſt contribute to a Reſemblance with the Original, without troubling himſelf about the Beauty of his Picture. The other without omitting theſe ſame Lines, which could not be done, and the Likeneſs preſerved, has taken all poſſible Care to ſoften them in order to hide, as much as in him lay, the Deformities of the Original. In a Word, the one has given us an ugly, and the other a beautiful Likeneſs. This doubtleſs determined the Earl to ſuppreſs ſeveral Strokes of his Pencil which might have improved the Reſemblance, but would have been prejudicial to the End he propoſed in his Work *.

* King *Charles II.* by his ſeveral Miſtreſſes, had the following Children.

I. By Mrs. *Lucy Walters*, Daughter of *Richard Walters Eſq;* James Duke of *Monmouth*, beheaded on *Towerhill*, July 15, 1685. He married in 1665, *Ann Scot*, Daughter of *Francis Earl of Buck- leigh* in *Scotland*.

II. By

II. By Mrs. *Elizabeth Killigrew*, Viscountess *Shannon*, Daughter of Sir *William Killigrew*, *Charles-Femia-Henrietta-Maria-Fitz-roy*, who died in 1684. Her Husbands were, *James Howard*, and Sir *William Paſſon*, Earl of *Tarmouth*.

III. By Mrs. *Catharine Peg*, Daughter of *Thomas Peg Esq;* *Charles Fitz-Roy* Earl of *Plymouth*, commonly called *Don Carlo*, born 1658, killed *October 17, 1680*, at *Tangier*. He married *Bridget* Daughter of Sir *Thomas Osborne* Duke of *Leeds*, who married afterwards Dr. *Bisſ*, the late Bishop of *Hereford*.

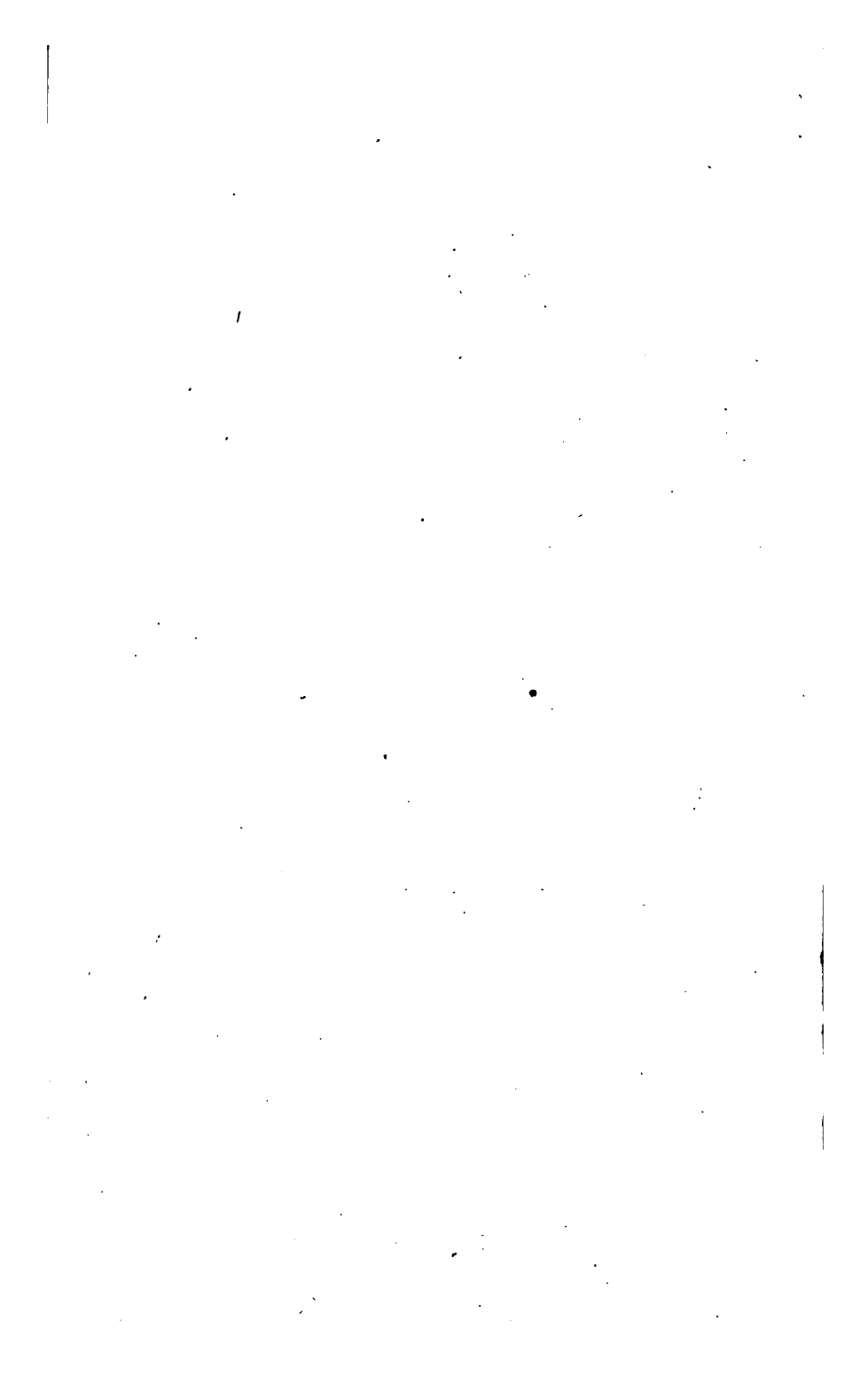
IV. By Mrs. *Barbara Villiers*, Heiress of *William Viscount Grandiſon* in *Ireland*, and Wife of *Roger Palmer* Earl of *Caſtlemain*, created Lady *Nonſuch*, Counteſs of *Southampton*, and Dutcheſs of *Cleveland*, who died in 1709, he had Three Sons, and Three Daughters. 1. *Charles Fitz-Roy*, born 1682, created in 1675, Duke of *Southampton*, and after his Mother's Death Duke of *Cleveland*. His Wives were *Mary* Daughter of Sir *Henry Wood*, and *Alice* Daughter of Sir *William Poultney*. 2. *Henry Fitz-Roy* Duke of *Grafton*, born *September 20, 1663*, and killed *October 9, 1690*, at the Siege of *Cork* in *Ireland*. His Wife was *Iſabella* Daughter of *Henry Bennet* Earl of *Arlington*, married after his Death to Sir *Thomas Hanmer* Bart. 3. *George Fitz-Roy* Duke of *Northumberland*, born *December 20, 1665*, who died *July 8, 1716*, without Children. 4. *Ann Fitz-Roy* born *February 29, 1661*, married in 1674, to *Thomas Lennard* Earl of *Suffex*. 5. *Charlotte Fitz-Roy*, born *September 5, 1664*, married *February 29, 1676-7*, to Sir *Edward Henry Lee* Earl of *Lichfield*. 6. *Barbara* born *July 16, 1672*, who became a Nun at *Ponſoiſe* in *France*.

V. By Mrs. *Eleanor Gwin*. 1. *Charles Beauclerk* Duke of *St. Albans*, born *May 8, 1670*, who married *Diana Vere*, eldeſt Daughter and Co-heireſs of *Aubrey de Vere*, the 20th and laſt Earl of *Oxford*. 2. *James Beauclerk* born *December 25, 1671*. He died in 1680, in *France*.

VI. By *Louiſe de Querouaille* Dutcheſs of *Portsmouth*, *Charles Lenox* Duke of *Richmond* and *Lenox*, born *July 29, 1672*, who died *May 27, 1723*. His Wife was *Ann*, eldeſt Daughter of *Francis Lord Brudenel*.

VII. By Mrs. *Mary Davis*, *Mary Tudor*, born *October 16, 1673*, married in *Auguſt 1687*, to *Francis Lord Ratcliff* Earl of *Derwent-water*.

The End of the Reign of CHARLES II.



A
DISSERTATION
ON THE
ORIGIN
OF THE
GOVERNMENT
OF
ENGLAND.

And on the Rise, Progress, Views,
Strength, Interests, and Characters of
the Two Parties of the *WHIGS*
and *TORIES*.

Written Originally in *French* by Mr. DE RAPIN
THOYRAS in the Year 1716, and first pub-
lished in 1717.

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T H E

Author's P R E F A C E

To the First EDITION in 1717.



THE two Parties or Factions which divide *England*, have been long talked of, but it is only of late Years, that all *Europe*, in a Manner, is engaged in their Quarrel. Before the last Peace Foreigners, for the most Part, looked upon the Differences between *Whig* and *Tory*, as Things merely speculative, and which no Way affected them. If any seemed to take a little more Notice of them, it was solely on Account of the Diversity of the Opinions of the two Parties, concerning the Hierarchy or Government of the Church. To this was confined the Idea, which most *Private Foreigners* formed of the *English* Divisions. I say, *Private Foreigners*; for Princes and their Ministers well knew what Influence they might have in the political

political Affairs of *Europe*, as the one or the other Faction prevailed in the Court or Parliament of *England*; but as for the Body of the People, it may be said that in general, they knew nothing of the Consequence of them.

The Peace of *Utrecht* has opened the Eyes of Multitudes, who have clearly discovered that it flowed from the late Revolution in the Court of *England*, when the *Whigs* were turned out to make Room for the *Tories*. As all *Europe* was engaged in the War, and consequently interested in the Peace which put an End to it; those who only talked of the *English* Divisions before, as of Things foreign and indifferent to them, are now but too sensible of what Consequence they are to a great many *States*. From that Time this Matter has been debated and argued upon in private Conversation, with more Eagerness and Heat. In short, the greatest Part of Foreigners, are become *Whigs* or *Tories*, according as they have observed a Conformity or Opposition between the Principles of those Parties and their own Interests. Though *Whigs* and *Tories* equally profess the *Protestant* Religion, though their Differences seem not much to concern either *Protestants* or *Roman Catholicks*, it has nevertheless so fallen out, that the latter have declared for the *Tories*, and the Former for the *Whigs*. The Reason of this their Proceeding is obvious; namely, That the one considered the *Tories* as Men who were labouring to set a *Zealous Popish* Prince on the Throne of *England*, whilst the others believed that the Preservation of the *Protestant* Religion was the sole Aim of the *Whigs*. There is yet another Motive

tive which has drawn Foreigners into the Measures of one or other of the Parties, and it is, their Inclination to *France*, or their Fear of the ambitious Designs of that Crown upon the Liberties of *Europe*. In this Respect the Partizans of *France* are *Tories*, and her Enemies *Whigs*. Every one therefore has made his Choice, without giving himself much trouble about the main Points that divide the two Factions. This Conduct in Foreigners is the less surprizing, since in *England* it self, Numbers are *Whigs* and *Tories*, without having a distinct Notion of the Party they have embraced.

It is very strange, that no Person hitherto has taken the Pains to give the Publick a full Account of these two Factions ; who, according as the one or the other is Uppermost in *England*, are in a Capacity to influence the most important Affairs of *Europe*. It is true, we have Translations of Numbers of *English* Books, or rather *Libels*, upon this Subject. But it is not from these Sources that we are to draw our Knowledge of the true State of the two Parties. These Writings are published by *Whigs* or *Tories*, and consequently by very suspicious Authors. Accordingly, there is not one of them which does not carry evident Marks of the Partiality of its Author. It is therefore from Foreign Pens, that we are to expect the most impartial Informations upon this Subject ; though to speak the Truth, Foreigners are generally either but little acquainted with the Matter, or biassed to one of the Factions. Nevertheless the Author of this Dissertation, though a Foreigner, thinks himself qualified to give the Publick a more extensive Knowledge

Knowledge of the two Parties, than most People have hitherto had. He resided a long Time in *England*, and for some Years applied himself carefully to the Study of the *English* History. Besides, he is attached by no Ties of either Inclination or Interest to one or other Party, and is now in a Country where no Hopes or Fears from either are capable to sway him. His Impartiality will evidently appear in the Dissertation it self : To give his Reader a distinct Knowledge of the two Factions, the Author was necessarily obliged to descend to many Particulars of the *English* History, without which their Rise and Progress could never have been clearly explained. If the *English* think this Dissertation defective in some Points and too large in others, they are desired to consider that it was not drawn up for their Use : That the Author's Aim was to confine himself to general Notions ; in a Word, that the Things which pass for common and well-known in *England*, are Mysteries Abroad, and require a full Explication.

Some Persons may perhaps wonder that an Author who was born under a Government purely monarchical, should in some Places deliver himself in a Manner to incline his Readers to think that he approves not of such a Government. To obviate this Suspicion, he desires his Readers to consider that he could not speak pertinently to his Subject, without assuming an *English* Spirit, and conforming himself to the Principles which are so common in *England*. It is thus only that he thought himself capable of discovering the Strength and Weakness of the two Parties. All his Reasonings are founded

upon this Principle of the Solidity of which he is thoroughly satisfied ; *That every private Person is in Conscience obliged quietly to submit to the Government established in the Country where he was born, or Providence has placed him.* Wherefore it is his Opinion that all secret Practices, all Cabals, all means tending directly or indirectly to the Dissolution of such Government, are so many Crimes for which the Authors are responsible to God and their Governours.





A
DISSERTATION
 ON THE
O R I G I N
 OF THE
G O V E R N M E N T
 OF
E N G L A N D, &c.



THE Government of *England* is of a particular Kind, there being none like it now in all the World. It is nevertheless the same which was formerly established through all the Kingdoms of *Europe*, formed out of the Ruins of the *Roman Empire*. The present Difference betwixt *England*, and other States in this Respect, is owing to this, that the *English* have preserved the Form of their Government
 ever

ever since their settling in *Great Britain* ; whereas in other Nations it has been either lost by Degrees, or extremely altered. This Government, which has so long subsisted in this Island, appears in some Respects to be Monarchical, in others, Republican ; whilst indeed, properly speaking, it is neither the one nor the other. It cannot be called purely Monarchical, because the Nobility and the People have a joint Power with the King in the Legislature ; nor can the King lay any Tax upon the People, without their own Consent. Neither is it Republican, because there is a King in whose Hands the Sovereign Authority is lodged, who disposes as he pleases of all Places and Dignities Ecclesiastical, Civil, or Military ; and has alone the Power of making Peace or War, without any Necessity of consulting his Subjects. It would be therefore a vain Attempt to pretend to describe this Government by the usual Names of *Monarchy*, *Aristocracy*, *Democracy*, which agree not with it. It is a *mixed Government* differing from those just mentioned, though partaking of the Nature of all three. The Prerogatives of the Sovereign, and the Privileges of the Nobles and People, are so tempered together, that they mutually support one another. At the same Time each of the three Powers, concerned in the Legislature, may throw insuperable Obstacles in the Way of one or both the others, should they attempt to render themselves independent. In short, it is very near the same Form of Government, which the *Saxons* introduced into *Germany*, the *Franks* into *Gaul*, the *Visigoths* into *Spain*, the *Ostrogoths*, and after them the *Lombards* into *Italy*. These same *Northern* Nations brought this Government into the most *Southern* Parts of *Europe* in their Establishments there, and Erections of new States upon the Ruin of the *Roman Empire*.

Should it be asked how long this Government has been in *England*, I should not scruple to date it from the Time that the *Anglo-Saxons* finished the Conquest of that Part of *Great Britain*, which their Descendants

A Dissertation on the Origin

Descendants possess to this Day. It is true, a Doubt may arise whether the *Commons* in the Time of the *Anglo-Saxons* sat in Parliament; and I confess this Point is hard to be determined. But however that be, when *England* was divided into seven Kingdoms, *English* and *Saxon*, each of these had its King and Parliament: This last was called the *Wittena-Gemot*; or the *Assembly of Wisemen*; and there was a General one of the like Nature, which sat upon the common Affairs of the whole *Heptarchy*. This same Form of Government subsisted when the seven Kingdoms were reduced to one, and formed the same State. *The Fields of Mars* [*March*] or of *May*, called afterwards the *States-General* in *France*, the *Cortes* in *Spain*, and probably the *Diets* of the *German Empire*, are the Remains of this antient Form of Government, introduced by the *Northern Nations*, where ever they made their Establishments.

William Duke of Normandy, surnamed the *Bastard* or *Conqueror*, having subdued *England* in the Year 1066, became absolute, and set up a Despotick Power, though in all likelihood he preserved still the Shadow of a Parliament. To secure his Conquest he transplanted Abundance of *Norman*, *French*, *Breton*, and *Angerian* Families, enriching them with Lands, of which he incessantly dispossessed the *English*. These transplanted Families, multiplied greatly in a short Space, and became in the End so powerful as to make Head against their Sovereigns, Successors of the *Conqueror*. At first indeed they boasted of their entire Dependence upon the King from whose Hands they had received such Marks of Bounty. Their Interest required a Support of that Power by which they held all their *English* Possessions. But when once firmly settled, they began to dread that the Regal Power, which had enriched them, might with the same Ease strip them of their Estates, if the King should so please. This moved them to wish the Resettlement of the Government upon the Foot, it stood in the Times of the *Saxon Kings*. This was the only Means

to avoid the Inconveniences of Despotism, (which might, in Time to come, turn as much to their Prejudice, as it had been to their Advantage;), and to perpetuate the Possession of their Lands. What at first was only a bare Wish, immediately rose into Hope, and afterwards erected it self into Law by Ways which I am going to unfold. To place these Things in their full Light, a large Detail of the *English* History would be necessary, and a particular Enumeration of all the Causes which have contributed to put the Nobility, and afterwards the whole Body of the People, in Possession of a Right, which they were absolute Strangers to, under the first *Norman* Kings. But as this Detail would lead me too far, I shall content my self with a short Abridgement with Relation to the Subject in Hand.

William the Conquerour, in the Year 1087, by his Death left the Kingdom of *England* to his second Son *William*, surnamed *Rufus*, in Prejudice of *Robert* his eldest Son, who had only *Normandy* for his Share of his Father's Dominions. *Robert* made some Attempts to dispossess his Brother of a Crown, which he believed of Right belonged to him. But *Rufus* defeated them by his Address, engaging as well the *Normans* as the *English* in his Interests, with Promises of re-establishing the Government upon its anti-ent Basis, and of reviving the *Saxon* Laws. He knew that both Parties were passionately desirous of this. And here, by the *Normans*, I mean the Foreigners lately settled in *England*. This Promise of *Rufus* was therefore the first Foundation of their Pretensions. I say the first, for the *Normans* had no Right to demand of the King what he was graciously pleased to promise Them, and the conquered *English* had as little to limit the Power of their Conquerors. It is true, the *English* might ground their Pretensions upon some general Promises made them by *William the Conqueror*, when he received their first Homages; But this Prince never intended these Promises for a

Foundation for them to erect a Right upon. Accordingly he always treated *England* as a conquered Nation. However that be, *Rufus* kept his Word with neither *Normans* nor *English*.

Upon his Death *Henry I*, his Younger Brother, ascended the Throne in the Year 1100 in Prejudice of his eldest Brother *Robert* still alive. To secure his Usurpation he pursued the Steps of his Predecessor *Rufus*. He promised the Re-establishment of the antient Government, and confirmed his Promise by a formal *Charter*, but performed it no better than his Brother. Nevertheless the Rights of the Subject received Strength from these Promises, though lamely executed.

1135. *Henry I*, dying, *Maud* his Daughter, Widow of the Emperour *Henry V*, and then Wife to *Jeffery Plantagenet* Earl of *Anjou* ought to have mounted the Throne; but was defeated of her Right by *Stephen* Earl of *Boulogne*, Son of the Conqueror's eldest Daughter. He bound himself more strongly than his two Predecessors to the Re-establishment of the *Saxon* Laws, but in all Appearance with as little Intention to perform his Engagements. At last the great Men, observing the Pretexts he made Use of to evade his Promises, harrassed him with a War which lasted the greatest Part of his Reign. In the Beginning, they called into *England* the Empress *Maud*, and her Son *Henry*, whom she had by the Earl of *Anjou*; and the War ended at last in a Treaty, which secured the Succession of the Crown to *Henry* after the Demise of *Stephen*, who had then Male Issue.

Stephen dying in 1154 was succeeded by *Henry II*. During his Reign, and that of his eldest Son *Richard I*, there were no Contests between the King and the *Barons*, for so the great Men of the Kingdom were then called. But very considerable Disputes arose in the Reign of King *John*, surnamed *Lackland*, Brother and Successor of *Richard I*. An unhappy Difference between this Prince and the Court of *Rome*, having
con-

constrained him to do Homage to Pope *Innocent III* for his Kingdom, and bind himself to pay him Tribute, this dishonourable Step, added to many other Causes, lost him the Esteem and Affection of all his Subjects. The *Barons* laying hold of so favourable a Conjuncture, presented to him the Charter of *Henry I*, which had never been executed, and resolved to wrest the Confirmation from him by Force. *John* at first rejected it with a great deal of Haughtiness, but at last compelled by his own Weakness, and the united Opposition of almost all the *Barons*, he was obliged to comply, and accordingly granted them a Charter, much more ample and advantageous to the Subject, than *Henry the First's*, and what was called *Magna Charta*, or the *Charter of Liberties*. By this Charter, drawn as the *Barons* pleased, the King's Power was so curbed, that it was in a Manner reduced to its Condition under the *Saxon Kings* before the Conquest. This Charter has been ever since the principal Base and Foundation of the Subjects Rights and Liberties. I shall not here pretend to decide a Question so much above my Capacity, viz. whether this Foundation is sufficiently solid. Let it suffice to remark in few Words, by what Means a Concession seemingly so defective in its Origin, seeing it was evidently extorted by Force, changed, as I may say, its Nature by the Resolution of the *English*, and acquired an indisputable Authority, though it might have been contested at first! To this End, we must see what passed afterwards with Respect to this Charter.

King *John* who had signed it, willing afterwards to revoke it, drew upon himself fresh Misfortunes, which lasted as long as he lived. The *Barons* resolving to adhere to their Charter, took at last the desperate Resolution to call in to their Assistance, *Lewis* Son of *Philip Augustus* King of *France*, and to put him in Possession of all or the greatest Part of the Kingdom. *John* died while the War was depending, deprived by a foreign Prince, or rather his own Subjects, and left his Quarrel to a Child of only

ten Years of Age, little capable to support it. Some Lords, who had remained faithful to the late King, constituted the Earl of *Pembroke* Regent, during the Minority of the young Prince, who was recognized by his few Adherents by the Name of *Henry III.*

§216.

Shortly after Affairs took a new Turn by the prudent Conduct of the Regent, who finding the Barons obstinate in Defence of their Charter, promised a positive Confirmation and Execution of the same. This Assurance won them all from *Lewis*, who thus deserted, was obliged to return to *France*.

Henry III was no sooner out of his Minority than he repealed *Magna Charta*, and thought of reigning uncontrouled. But as he had not a Capacity equal to the Weight of so great an Undertaking, his long Reign of fifty six Years was one continued Scene of Troubles on Account of this *Magna Charta*. He was frequently forced to confirm it, and as often he broke through all his Oaths and Engagements. At last the Barons took Arms under the Conduct of the Earl of *Leicester*, Son of the famous *Simon Montfort* General of the *Crusade* against the *Albigenses*. The King had the Mortification to lose a Battle, and to see himself, his Brother the King of the *Romans*, and his Son Prince *Edward* in the Hands of the Earl of *Leicester*, who obliged them to swear that they would never oppose the Execution of *Magna Charta*. The Earl of *Leicester* governed some Time in the Name of the King his Prisoner. It is pretended that the *Commons* were first received into Parliament during his Administration. But without staying to discuss so knotty a Question, I shall content my self with remarking that at least the Right of the *Commons* remains uncontested from the End of this Reign.

Prince *Edward*, Son of *Henry III*, having happily made his Escape from the Earl of *Leicester*, gained a Battle in which that Earl lost his Life. The Victory

* He was a younger Son of *Simon de Montfort*, and was drawn into *England* by *Henry III*, whose Sister he married.

tory likewise restored the King to his Liberty, who made an Use of it little agreeable to the Oath he had been obliged to take. But his Reign and Life were but of short Continuance after the Recovery of his Liberty. Though the *Baron's* Party was extremely weakened by the last Victory, nevertheless *Edward I*, who succeeded his Father *Henry III*, voluntarily confirmed *Magna Charta*. However some Steps taken by him afterwards, discovered a Design of revoking it; but the Barons putting themselves in Motion, obliged him to retreat, and confirm it a second Time.

1272.

Edward II, his Son and Successor, was deposed by the Parliament, for aiming at an absolute Power contrary to *Magna Charta*.

1307.

Edward III, Son and Successor of this unfortunate Prince, confirmed it ten Times during the Course of his Reign, which the Victories obtained by Himself and his Son the Prince of *Wales*, over *France*, rendered extremely glorious.

1327.

Richard II, Grandson and Successor to *Edward III*, was solemnly deposed for having violated in many Instances the Privileges of the People, founded on *Magna Charta*.

1377.

Henry IV, who had made Use of that Pretence to dethrone *Richard II*, and put himself in his Place, made some Attempts to diminish the Prerogatives of the Parliament; but pushed not very far the Execution of this Project.

1399.

Henry V, his Son and Successor, maintained the Parliament in all its Rights, and left the Privileges of his Subjects untouched at his Death. His Reign was one continued Series of Victories, and happy Successes against *France*. He died in 1422.

1413.

From this Time the Government of *England* remained so well settled, and so firm upon its Basis, I mean the Prerogatives of the King and the Privileges of the Parliament, that for near two hundred Years, not one King appears to have had any Intention to make the least Attempt to shake it. The Policy of

succeed-

succeeding Kings, turned wholly upon governing their Parliaments by secret Intrigues, without discovering any Desire of an Alteration in the established Constitution. True it is, that some Kings, as *Henry VIII*, have ruled according to their own Wills, but this without any Prejudice to the Privileges of Parliament. On the contrary, by supporting the Parliament in its Rights, they have had the Address to render it compliant to their own Purposes. This, by the Bye, is the best, and perhaps the only Way for a King to make himself at once powerful and easy.

1603. After so long a Continuance of the same Form of Government, and so interrupted a Possession of the Privileges of *Magna Charta*, the People of *England* were so accustomed to it, that it seemed impossible to make any Alteration without throwing the Kingdom into Confusion. Nay, it seemed next to impossible that any King should ever think of attempting a Thing so hazardous that his Crown must be in Danger, as had been the Case of some former Kings. In spite of all this, *James I*, Successor to *Queen Elizabeth*, was not wanting to run some Lengths in this dangerous Race, by his Attempts to diminish the Power and Privileges of Parliament. It was by the pernicious Counsels of the Duke of *Buckingham*, his Favourite, that he engaged in this Design, which probably would have ended unluckily for him, had not Death snatched him away before he had made too clear a Discovery of his Intention. This Duke of *Buckingham* ought to be considered as the first Author of the Troubles, which have so long infested *England*, and continue to infest it to this Day.

It was under the Reign of *Charles I*, Son and Successor of *James*, that the Project to render the King absolute, and independent of the Laws was pushed with Vigour, and every Sail, as it were set, to go on the faster. The Duke of *Buckingham*, Favourite to *Charles I*, as he had been to his Father, filled his Head with Maxims directly contrary to the established Government

Government, and so was the Cause of his Ruin. That Lord being assassinated, the Design was pursued by *Charles*, which had been set on Foot by the deceased Favourite. He had taken it into his Head that the Nation might be governed without Parliaments, or at least that Parliaments, were only the Tools of the Sovereign to furnish him with Money. He had dissolved three in the four first Years of his Reign, and even signified his Intention of calling no more. Twelve Years passed without one Parliament summoned, during which the King levied Taxes at Pleasure upon his Subjects, on one Presence or other, and by his Conduct discovered a Design of Reigning in an arbitrary Manner. Unhappily for him, he took too near his Person and Council, two Men seasoned with the same Maxims, who pushed him still further down the Precipice. These were *William Laud* Archbishop of *Canterbury*, and *Thomas Wentworth* Earl of *Strafford*.

While this Prince had no Difficulties to struggle with Abroad, he enjoyed his usurped Power with some Tranquillity, but not without the open Murmurs of the People. Nevertheless no Person appeared hardy enough to oppose a Torrent which came on with such Fury. At last the Archbishop of *Canterbury* having advised him to put the finishing Hand to the Restoration of the *Scotch Hierarchy*, and Introduction of the *English* Liturgy; he followed the pernicious Counsel, which nevertheless he could not execute, without engaging himself in an open War with his antient Kingdom of *Scotland*. He levied Armies, and kept them in pay by Taxes which he himself had imposed. Money failing him after the first Campaign, he at last summoned a Parliament, which he dissolved a few Days after, for the same Reasons that he had dissolved the three former, and continued his arbitrary Impositions as before. But the King was not long ignorant that the Continuation of his Power depended upon the happy Success of his Arms. The People served him

1639.

Apr. 1640.

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with Regret. The Lords on divers Pretences withdrew from Court. The Validity of his Orders, by Virtue whereof his Impositions were levied, were contested in Town and Country. In short, the King saw his Subjects every where ready to desert him, on the first Occasion.

This fell out sooner than he could have imagined. His Army having received a Check, and the *Scots* surprized *Newcastle*, the King saw himself under a Necessity of finding Means to drive them out of *England*, whereas he had entertained Hopes of becoming absolute Master of *Scotland*. But, far from meeting with a Disposition in his *English* Subjects to assist him, he saw them on the contrary pleased with his Disgrace, which they considered as an Occasion put into their Hands for the Recovery of their Priviledges. In this Necessity he summoned the Peers to meet at *York*, in Order to advise with them upon what was proper to be done. Their Opinion was unanimous, that the only Way to extricate himself out of the present Difficulty, was to call a Parliament. He then was sensible that an Interval of fifteen Years was not capable to efface, out of the Minds of the *English*, the Memory of their Parliaments, which they looked upon as the most sure Support of their Liberties. Nevertheless he was under a Sort of Necessity of following the Advice of the Peers, and of convening a Parliament*.

The Disposition of the People towards the King, inclined them to send only such Representatives as were noted for Ability, Courage, and the most firm Attachment to the Priviledges of the Subject. The Parliament assembled with no present Intention of driving the *Scots* out of the Kingdom, as the King had hoped, but thought it incumbent upon them, before all Things, to secure the Liberties of the Nation by

* For the 13th of *November* 1640, before the Peers met, he had learned they would be for calling a Parliament; and so, for his own Credit, proposed it first.

by setting Bounds to the illegal Authority, which the King had for fifteen Years assumed. This Resolution once declared, caused all the People to side with the Parliament. From this Time the King had so few Adherents, that he saw himself unable to resist the Torrent. The only Refuge left him, was to comply with his Parliament, and to pass almost every *Bill* brought in for a Check upon his Authority. He hoped from this Condescension to convince his Subjects of his sincere Intention to return into the old Road, which evil Counsels had made him quit, and perhaps he was in earnest; but he could gain no Belief. On the contrary, it was the general Persuasion that meer Necessity obliged him to Measures so opposite to those he had before pursued. Wherefore the mutual Confidence, so necessary between the King and his People, being lost, the Parliament no longer depended upon the Faith of a Prince, whom they believed they had such just Grounds to distrust. They therefore applied themselves heartily to secure the Liberties of the Subject from any future Invasion. In Pursuit of this Design, they were not satisfied with obtaining the King's Consent to *ABs* which reduced the Royal Power within its antient Limits, but moreover extorted others from him, which considerably retrenched the just Prerogatives of the Crown. Their Partizans made no Scruple to affirm that the Subject could never be secure in his Property, while the King had Power to return to his former Courses. Thus this Prince, who had hoped to carry the Royal Authority higher than any of his Predecessors, saw himself on the contrary stripped of good Part of the Power he enjoyed by Law. He had even the Mortification to see himself forced to sign the Earl of *Strafford's* *May 1641* Sentence, who had acted nothing without his Orders, or at least his Approbation. The Archbishop of *Canterbury* also, lost afterwards his Head on the Scaffold, 1644

Had the Parliament contented themselves with settling the Government upon its antient Foundations, there is a great Likelihood that it would have stood almost immoveable for Time to come. But on such Occasions a just Mean is hard to be kept. The Leaders in both Houses, willing to screen themselves from the Attempts of the Royal Power, so altered the antient Constitution, by stripping the Crown of the greater Part of its acknowledged Rights, that it was become quite another Thing. It was no longer the King and Parliament which governed the Nation, but the Parliament singly, or rather the House of Commons, managed all Affairs. The House of Peers had almost no more Power left than that of an implicit Assent to the *Bills* sent up from the other House, and the King had only the Shadow of Sovereignty left him. But it was this very Thing that procured him Friends, whom doubtless he would never have had, if the Balance had been held in its just *Equilibrium*. Numbers thought it as strange that the Parliament should, as I may say, govern without a King, as that the King should attempt to rule without a Parliament. The Constitution of the Government suffered equally by both Usurpations. But that which brought the strongest Accession to the King's Party, was the Parliaments Infatuation and Obstinacy to subvert the *English* Episcopal Government in Favour of *Presbyterianism*, in Order to make their Court more successfully to the *Scots*, whose Assistance they then wanted. The greater Part of the *English* accustomed to see the Church under the Direction of Bishops, could not bear such an Alteration without expressing their Uneasiness at it. But as these were not the strongest, the Parliament having the Treasure, Army, and Places in their Disposal, their only and best Refuge was to throw themselves into the Interests of the King.

Hence arose two Factions in the Kingdom ; one for the King and one for the Parliament, with a Sort of Equality, which discovered immediately that they

they could not long continue quiet, but bring their Quarrel to the Dicision of Arms. The King's Adherents had first the Name of *Cavaliers*, which afterwards was lost in that of *Tories*: And those of the Parliament, the Name of *Roundheads*, known by the modern Name of *Whigs*. The Origin of these two famous Distinctions is this: At that Time a Sort of *Irish Banditti*, or Robbers, who kept in the Mountains and Isles formed by the vast Bogs of *Ireland*, went by the Name of *Tories*, and at present are known by that of *Rapparees*. As the King's Enemies accused him of favouring the *Irish* Rebellion, then on Foot, they gave his Adherents the Name of *Tories*. These on the other Hand to return the Reproach upon their Enemies, who had leagued themselves with the *Scots*, called them *Whigs*, a Name bestowed in *Scotland* upon the like *Banditti* or Robbers of that Nation. It appears from hence, that these two Names are as antient as the Troubles, though they were not made Use of till many Years after. I cannot precisely fix the Time, but am of Opinion that *Cavalier* and *Roundhead* continued the Terms of Distinction until the Restoration of *Charles II*, and then insensibly went off into those of *Tories* and *Whigs*. These are the two Factions which began to divide *England* in the Time of *Charles I*, and which divide it to this Day. The *Roman Catholics*, called *Papists* in *England*, joyned from the Beginning the King's Party, which was more favourable to them than that of the Parliament, and have always kept themselves united with the *Tories*.

What has been said above, makes it sufficiently clear, that the King's Party was composed of two Sorts of Men, of which the one had principally in View the political Interests of the King and the Crown, and the others, that of the Church of *England*. But the Consideration of their mutual Advantage united them both in Endeavours for the King's Prosperity, for without this they could not hope to succeed in their respective Designs. It is for this Reason that they

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they were considered as composing but one Faction under the same Denomination of *Cavaliers* or *Royalists*. This Mixture of two opposite Views in the same Party, subsists to this Day, and is not one of the least Causes of that Confusion of Idea's, which the Word *Tory* occasions. To remove this Ambiguity as much as is possible, I shall call the first the *Political* or *State Cavaliers*, and the others *Ecclesiastical* or *Church Cavaliers*. Each of these Branches were again subdivided. For amongst the *Political Cavaliers* were some, who following the Maxims of the Duke of *Buckingham*, Archbishop *Laud*, and the Earl of *Strafford*, were desirous to see the King invested with absolute Power, and the Parliament at his Feet. These may be called the *Furious Cavaliers*. Their Number was small, and but little capable to support the King in his Adversity, though they had made a good deal of Noise during his Prosperity. The other Branch of the *Political Cavaliers* was composed of Men whom I shall call *moderate*. These desired indeed the Restoration of the King's Authority, but with the Preservation of the antient Constitution. The other *Cavaliers*, whom I call *Ecclesiastical*, had likewise their Subdivision, and one Part of them was composed of *Rigid Churchmen*, who were for no Relaxations in the Discipline or Doctrine of the Church of *England*. Those who composed the other Branch were less scrupulous and opinionated, and may be called the *Low* or *Moderate Churchmen*.

In Opposition to the *Cavaliers* or *Royalists*, the *Roundheads* or *Parliamentarians*, were divided into two principal Branches; that is to say, the *Political* and *Ecclesiastical*. The first had principally in View the Maintenance of the Rights of the People, and the second the Advancement of *Presbytery*. Each of these Branches was likewise subdivided into two, one whereof was composed of *Republicans*, whose Aims were to overturn the Regal Power entirely, and erect a Commonwealth upon its Ruin; the other consisting of the *Moderate Roundheads* or *Parliamentarians*, desired

desired only to reduce the King to an Incapacity of abusing his Power, but was for leaving him in the Possession of his just Rights. This relates only to the *Political Roundheads* or *Parliamentarians*. As for the *Ecclesiastical*, they formed two Branches, of which the one comprehended the *Rigid Presbyterians*, who drove at nothing less than the Destruction of the *Hierarchy*; the other consisted of the *moderate Presbyterians*, who could have been contented with much less, if not with a bare Toleration. It was absolutely necessary to premise thus much concerning the two Factions, in order to enable the Reader to understand the Sequel of this Dissertation. I shall more at large speak to the Views and Interests of the different Branches of the two Parties, after I have finished the Abridgement which their Rise obliged me to interrupt.

At the Time that the King was in a deplorable State, without Money or Friends, and reduced to bear every Thing from his Parliament, who had him, as I may say, at their Mercy, a Ray of Hope darted in upon him, from this Rise of the two Factions, I have been speaking of. He thought immediately that the fomenting the Division must be attended with Advantage to himself, and in effect it answered his Expectation. By this he saw himself at last in a Condition to get some Satisfaction by his Arms, for the Injuries which he thought he had Reason to complain of. In this Hope he raised an Army; and engaged in an open War against the Parliament, who on their Side had before taken all the necessary Measures to oppose him.

The Detail of this War is Needless here, since the sad Conclusion of it is still fresh in Memory. It will suffice to say that *Charles I.* was vanquished, and lost ^{30th of} his Life on the Scaffold. Thus the King himself, the ^{Jan. 1648.} Duke of *Buckingham*, the Earl of *Strafford*, Archbishop *Laud*, Authors of the Design to render the King absolute, came all to a tragical End. If to these we add the Examples of *John*, *Henry III.*, *Edward II.*,

ward II, Richard II, and the late one of James II, all big with the same Design, and all unfortunate in the Execution; It will be easy to see the Difficulty and Danger to any King of *England* in an Attempt to subvert a Government so solidly cemented.

Oliver Cromwell, Author of *Charles I's* Death, remained Master of the Government. He durst not however assume the Title of King; and if he had the Address to render himself absolute, he covered it with the specious Pretence of the publick Liberty. He is the single Instance in *English* History of an Usurper, dying peaceably in the Possession of Power.

While the Sovereign Authority was held by him, the *Cavaliers* were cast down to the last Degree. But their Spirits revived on the Death of this formidable Enemy. To give their Adversaries no Handle against them, they put themselves under the Conduct of those of their Party, who were the most moderate. So that the *Furious* and *Rigid* among them seemed now to be no more. This Policy was absolutely necessary at a Time when the Prerogative of the King, and the Rights of the Church were to be mentioned with great Caution, as there were neither King, nor Bishops. At last by a Revolution the most surprizing, forwarded by the prudent Conduct of General *Monk*, the *English* united to set *Charles II*, on the Throne, Son of the deceased King, and to restore Monarchy and the Church to their antient Rights.

Charles II reigned peaceably at first. He was a Prince who wanted neither Wit nor Judgement; but he was slothful, and addicted to his Pleasures. His Intention was to live a quiet Life, and avoid all Disputes with his Subjects. A long Exile, and oftentimes a Want of common Necessaries, had so chagrined him, that he could not think of engaging in any Measures, which might again indanger his present Security. On the other Hand, the *English* had had Time, and frequent Occasions to open their Eyes,

and discover that a pretended Maintenance of their Liberties had reduced them to Servitude. For it may be affirmed, that *England* had never enjoyed less Freedom than under the Government of the Long Parliament *, and afterwards of *Oliver Cromwell*: nevertheless *Charles II* insensibly engaged himself farther than he ever intended. This without doubt was owing either to his Indolence, or his too great Condescensions to his Ministers, who were all *Cavaliers*, whom I shall call from henceforth *Tories*; as I shall give the *Roundheads* the Name of *Whigs*; though I cannot assign the Time of the first Usage of those Appellations. The *Tories* therefore, who solely had the King's Confidence, were incessantly plying him with Motives for the Restoration of the Monarchy and Church to their antient Lustre. The Court of *France*, for Interests of their own, laboured to inspire him with the same Thought. In a Word his *Tory* Ministry took all imaginable Care to keep the *Whigs* at a Distance from him.

The *Tory*-Party had at their Head the Duke of *York*, the King's Brother, a Prince naturally impetuous and violent, who having embraced the *Roman* Catholick Religion in his Exile, formed the Design of establishing it in *England*. This Project could not be executed without first extending the Royal Power beyond the Bounds prescribed by the Law; that is to say, without resuming and pursuing the same Design in the Execution of which his Father had so unhappily miscarried. But the Duke had a Temper too violent to conduct such an Undertaking. He pursued it eagerly during the Reign of his Brother, who had no Legitimate Issue, hoping that the Work then begun, would be more easy to finish on his own Accession to the Throne.

To

* The long Parliament was the last under *Charles I*, which met in 1640, and continued beyond the King's Death.

To succeed in his Design, he had no other Way than to begin it with the utter Ruin of the *Whigs*, whose Principles were directly contrary to every Scheme of his, whether with Relation to Church or State. It must be observed, that the greatest Part of the then *Whigs* were *Presbyterians*. Wherefore in seeming only to aim his Resentments against *Presbyterianism*, the Duke of York projected the Destruction of those who opposed the Increase of the Regal Power, without alarming the Nation. Indeed he might apprehend a powerful Opposition from the moderate *Tories*, whose Maxims were by no Means favourable to his, after he had crushed the *Whig-Party*. But he despaired not of overcoming their Opposition, if the *Whigs*, his more dangerous Enemies, were once removed out of the Way. With this View he brought his Brother to persecute the *Presbyterians*, and was assisted in it by all the *Tories*, who with Pleasure beheld this first Occasion of revenging themselves upon their old Enemies, the *Whigs*. Thus *Presbyterianism* was furiously attacked, under a Pretence of resettling the Church on the Foundation it stood before the Troubles. An *Act* was passed forbidding the *Presbyterians* Assemblies then called *Conventicles*; and another known by the Name of the *Test-Act*, which indeed more directly struck at the *Roman Catholics*. This *Act* ordained that no Person should be received to any Employ of a publick Nature, without producing a Certificate of his having communicated in an Episcopal Church. Moreover it was called the *Conformity-Act*, because all who were to be admitted to any publick Employ were obliged by this Statute to conform to the Church of *England*.

The *Whigs* were immediately sensible that under Colour of maintaining the Rights of the Church of *England*, the Duke of York's Design was to change the Government of the State, and to ruin the *Protestant* Religion in *England*. Some Time was wanted to take just Measures for their Security, and at
last

last with the Assistance of the *moderate Tories*, who feared the Duke of *York's* going too far, they obliged the King to send him out of the Kingdom. Nay, the Thing was carried so far, that the House of Commons prepared a *Bill*, called the *Exclusion-Bill*, to deprive him of his Right of Succession. But the passing of this *Bill* was prevented by the Dissolution of the Parliament. Another was summoned to meet at *Oxford*, in Expectation of finding the Members less violent. But the King was mistaken, and after a short Session, was obliged to dissolve them, when he saw their Earnestness for a second *Bill* of the like Nature.

It will perhaps seem strange, that the Scene should be so much changed; and the *Whigs*, so depressed before, on a sudden become superiour to their Enemies. To let the Reader into the Reason of this Change, it is necessary to remark that the *moderate Tories* went heartily into the Designs of the Court, while they believed them levelled only against the *Presbyterians*. But being once sensible that all the Measures pursued by the King and the Duke of *York*, aimed at the Ruin of the Constitution in both Church and State, and struck at the very Foundations of *Magna Charta*, they never hesitated at joining with the *Whigs* to oppose, with united Strength, the Execution of this Attempt upon the Publick Liberty. It was this Union which gave the *Whigs* a Superiority, to which otherwise they could never have pretended. On the other Hand, the *furious State-Tories* and *rigid Churchmen*, desirous to recover the Ground which they had lost, endeavoured to gain the People over to their Party, by accusing the *Whigs* of a settled Design for the Ruin of the Church; and they in their Turn were accused by the others, of intending the Subversion of the Government, and of favouring the pernicious Counsels of the Duke of *York*. Thus the Enmity of the Factions, which seemed to have lain almost buried in the Restoration, revived and appeared again with fresh Vigour. The *Tories* are in

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Reality chargeable with this Guilt, who to revenge the Wrong received by them from the long Parliament and *Cromwell's* Usurpation, threw themselves Headlong into the Designs of the Duke of *York*. They repented when they became sensible what Tools they were going to be made of.

Some Time after, Men's Tempers being a little cooled, the Duke of *York* returned into *England*, and continued without Interruption to foment the publick Divisions, without which he could hope for no Success in his Designs. Thus this Prince, by a Bigotry to his Religion, by a Desire of Revenge, and perhaps pushed on by an Ambition to effect a Design which had miscarried in the Hands of so many Kings of *England*, in Conjunction with his Brother, whose Indulgence to him exceeded all Reason, kindled a Fire in *England*, which is not yet extinguished.

Charles II died during these Transactions, and the Duke of *York* ascended the Throne, by the Name of *James II*, without any Opposition. He at first made large Promises to his Subjects, and was desirous to flatter their Hopes; that both Religion and the Constitution should stand secure under his Administration. But he by no Means performed his Promises. Shortly after his Coronation, the Duke of *Monmouth* natural Son of *Charles II*, relying upon the Discontents of the People, left the *Low-Countries* where he had lived some Time in Exile, made a Descent on *England* with a Handful of Men, and assumed the Style of King. But his Royalty was of very short Continuance. His Party being much weaker than he had expected, he was defeated, taken, and beheaded. This Victory, so easily obtained, raised the King's Confidence and Security to that Degree, that he was almost ready to discover his Designs, such was his Assurance of their Success. The Judges, all his Tools, gave their Opinion that the Laws were his, and that he might dispense with them at Pleasure. Their Decision was founded upon some *Statutes* lodging this Power in the Sovereign with Regard to certain Laws; and

and upon the Examples of some of his Predecessors, who had, in this Respect, transgressed the Limits of their Sovereignty. Thus these corrupted Judges drew from particular Cases a general Conclusion, and founded a standing Right upon some transient Usurpations.

This Door being opened, the King by his sole Authority repealed the *penal* Laws enacted by so many Parliaments to prevent the Designs of the *Papists*. He next filled his Army with Officers of that Religion, and bestowed Preferments and Titles upon Men, who by the Laws were incapable of them. He took their Charters from *London* and other Corporations, and brought them to a Dependence upon his good Will and Pleasure. In short, by a Proclamation he granted a full Liberty of Conscience, and permitted to each Sect the publick Profession of their Religion. This Proclamation had a double View, one was to make the *Papists* easy, and the other to amuse the *Presbyterians*. The King was perswaded, that as the latter were still under the Lash of *penal* Laws enacted against them in the late Reign, they would with Pleasure receive their Deliverance from them, and preserve their Allegiance for fear of forfeiting the Liberty granted by the Proclamation. But they were not the Dupes of an Artifice pointed directly at their Ruin. I omit infinite other Steps taken by the King, which were but too capable to fill all his Subjects with Terrour.

Hitherto the *Tories* in general had abetted the Designs of the King. But on Sight of Measures which threatened nothing less than Subversion to the established Government, and Ruin to the *Protestant* Religion, they began to repent of their past Conduct. It was now clear to them, that in the Path they were walking, they would be led beyond their Intentions, and that their grand Aim, the Ruin of the *Whigs*, was not to be accomplished without that of their own Religion and Liberty. In this Danger, which could not be more imminent, they joined the

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Whigs, and in Conjunction with them, came to a Resolution of calling in the Prince of *Orange* to extricate them out of their present Difficulties. From this Period the King's Party became extremely weak, being composed of only *Papists*, *furious Tories*, and some Lords, Slaves of the Court and its Preferments. Mean while the King appeared outwardly, as powerful as ever, and just ready to reap the Fruits of his Undertaking; because those who as yet seemed attached to the Court, thought it not Time to discover themselves. The Prince of *Orange* was landed before his Weakness became conspicuous. His Army, his Fleet, the Lords whom he considered as devoted to his Person and Interest, forsook him at once, and reduced him to the sad Necessity of attempting, in a Disguise, to escape out of his Kingdom. But this Attempt failing, he had the Mortification to see himself at the Mercy of the Prince of *Orange*, and, in all Appearance, obliged to his Generosity, or perhaps his Politicks, for the indirect Means which were furnished him of flying into *France*. This Example teaches us; that notwithstanding the Division and Enmity of the two Parties, the *English* carry not their Passion so far as to abandon the Interests of Religion and Liberty, or that at least there are but few of that Character.

William and *Mary* having received the Crown on the Flight, or, as it was called, the *Abdication* of King *James*, their chief Care was the stifling the Seeds of Division which still remained between *Whig* and *Tory*, notwithstanding their Junction in the common Danger. In order to this it was necessary to keep out of the Ministry and their Confidence, those who had abetted the Designs of King *James*, and the Bigots to the *Rites* and *Ceremonies* of the Church of *England*. Without this the *Whigs* could never have had any Quiet, as they considered the *furious State* and *rigid Church-Tories*, as their irreconcilable Enemies. On the other Hand, it was not less necessary to keep at the same Distance the most *rigid Whig-Presbyterians*,
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for fear of giving an Alarm of Danger to the Church of *England*, by any distinguished Favours shewn to them. Such an Alarm would have been the more reasonable, as the new King having hitherto always professed in *Holland* the *Presbyterian* Religion, any Measures the least favourable to it, might have given a Suspicion of his designing to establish it upon the Ruins of the National Church. Great Address was therefore to be used, to remove all just Grounds of Fear and Suspicion in the *Tories*. It was with these Views, that during the Reign of *William* and *Mary*, the great Posts were generally bestowed on the moderate Men of both Parties. This Maxim was pursued by King *William* when he reigned alone, after the Demise of the Queen. But as it was impossible to please both Parties at once, unless there had been more Places to give, he affected frequent Changes in his Ministry, and the employing the two Parties alternately. This was all that could be done by him till Time should extinguish the reigning Animosities.

Under such Circumstances, and a King of such Wisdom and Fore-sight, it may be affirmed that no Disturbance could have befallen the Government from the Principles of the two Parties, if the *Church-Tories* could have contented themselves with seeing their Church Uppermost. But a full Liberty of Conscience enjoyed by the *Presbyterians*, with the publick Exercise of their Religion, and the Possession of Places contrary to the *Conformity-Act* of *Charles II*, gave these rigid *Ecclesiasticks* an Uneasiness which they could not dissemble. They were jealous of a Design formed by the *Whigs*, and abetted by the King, for the gradual Subversion of the established Church. Their Experience under the long *Parliament*, gave them Apprehensions of the same Danger. The furious *Tories*, having lost King *James* their Patron and Defender, inspired the *Episcopal* Party with these Fears and Jealousies, to animate them the more against King *William*. These furious Men were but

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too sensible of their own Incapacity to support themselves, unless the Church was artfully drawn in to espouse their Cause. To this were owing the Rumours industriously spread amongst the People of the *Church's being in Danger*. The *Whigs* saw by this that the *Tories* had not laid aside their Projects, but would, whenever they were armed with Power, play Religion against them. And, in Imitation of King *James*, make it a Handle for their Ruin. It was thus that the Animosities of the two Parties were kept alive, notwithstanding all King *William's* Pains and Endeavours.

It seemed then that Religion was the sole Quarrel between the two Parties; the Conjectures not allowing either the *furious Tories*, or the *Whig-Republicans* to push their Principles. This has given Occasion to a false Idea of the Differences reigning between the two Parties, and to an Imagination that they arose solely from a Diversity of Sentiments with Relation to the *Ecclesiastical Government*. But this is assuredly a Mistake. When Opportunity offers, the *furious Tories* make it very apparent, that the Safety of the Church is by no means the sole Motive of their Conduct, and in all likelihood the *Republican-Whigs* would not be wanting to their former Maxims, if ever they should meet with a favourable Opportunity.

As to the *Papists*, who may be considered as a Branch of the *Tories*, they would have had Reason to be satisfied with the Gentleness of King *William's* Government, if their extreme Desire to see King *James* again upon the Throne, would have allowed them to look upon the reigning King, in any other Light than that of an Enemy. Some of them were even engaged in Conspiracies against his Person, which only turned to their own Confusion and Ruin. This immoderate Desire in the *Papists*, and even in some *Tories*, for the Restoration of King *James*, obliged King *William* to enter upon Measures not only for the Prevention of their ill Designs during his Life,

Life, but moreover to render their Endeavours ineffectual after his Death. Accordingly an Act of Parliament was made, which settled the Succession of the Crown in the illustrious House of *Hanover*, without any Regard to the Pretensions which Birth or Nearness of Blood might give to any *Papist* whatsoever. *William* died shortly after, and *Anne*, Daughter of *James II*, and Princess of *Denmark*, mounted the Throne.

This Queen had been educated in the Principles of the *rigid Tories* with regard to Religion, and in all Appearance in those of the *furious Tories* with regard to Government. At least all who had any Influence over her, or were concerned in her Education, were of this Stamp. *Charles II* her Uncle, *James II* her Father, the Earl of *Rocheſter* her Mother's Brother, were all deep in the Principles of the most *furious Toriſm*, deeming every Opposition to the Sovereign's Will, as a declared Rebellion. Besides, *Anne* was of no great Capacity and naturally self-willed. An accidental Quarrel with her Sister Queen *Mary* having made her resolve to withdraw from the Court, she was so punctual to her Resolution, that she would not even visit her Sister, when on her Death-bed. The Meanness of her Genius presaged the Power which her Ministry would have in the Government whenever she should ascend the Throne. On the other Hand, it was to be feared that the Principles imbibed from her Education, would throw her into the Party of the *furious* and *rigid Tories*, in the Head of whom was her Uncle the Earl of *Rocheſter*. This Lord was dreaded equally by the *Whigs* and *moderate Tories*, as a dangerous Man, and capable to carry Things to Extremity. He was otherwise a Person of great Parts, but his Principles were arbitrary and himself a Bigot to them. In all Appearance he was going to be set at the Helm of the Government in the Accession of the Queen his Niece to the Throne. But it is pretended that the Fears of the *moderate Tories* to see him in so high a

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ALL of his Succession principally to the Care and Procurement of the *Whigs*. They were therefore to think of preventing this Danger without Loss of Time. Their Party was too weak to struggle with the Sovereign, should he declare against them, as had been often seen during the Reign of King *William*, and in the first Years of Queen *Anne*. It was therefore concluded by them, at least, if we may judge by their Proceedings, that their best Way would be to secure the Crown for the Pretender, who would continue their Protector when the Queen should be no more. It is nevertheless still uncertain whether the Earl of *Oxford*, now in the *Tower*, was of this Opinion. But it cannot be denied that they believed the Assistance of *France* to be absolutely necessary for the Support of their Schemes. Accordingly to make sure of it, they struck up a dishonourable and hasty Peace, to the great Astonishment of all *Europe*, and forced the Allies of *England* to follow her Example. Probably, had not the Queen died soon after the Peace, the oppressed *Whigs* would have been necessitated to call in to their Assistance, the Elector of *Hanover*, as they had before the Prince of *Orange*, but with far less Hope of the general Concurrence of the Subjects. The Reason of this is, because King *James's* Designs to overturn the established Government were so declared, that no Doubt could be made of them, whereas only bare Presumptions lay against the Pretender.

What has lately happened since King *George's* Accession to the Throne, makes it clear, that there was a formed Design of securing the Succession to the Pretender, had not the Death of the Queen broke all the Measures of the Contrivers of it. It is nevertheless very uncertain whether they could have executed their Design, or if they could, whether the Pretender's Reign would have been of any long Continuance. The *English* in general are to the last Degree jealous of their Laws and Liberties, nor are they less so of their Religion. This is what I think I may

may venture to affirm, though some of them indeed appear indifferent as to the latter. But, Thanks be to God, these are far from being the Majority. Now it would have been very difficult for the Pretender, when advanced to the Throne by foreign Aid, professing a Religion different from that of the Nation, and directed in his Counsels by *furious Tories*, to have kept himself within the Bounds of Moderation, necessary to gain the Hearts of his Subjects, without which no King of *England* can ever sit firmly on his Throne. But without amusing ourselves with guessing what might have happened, let us finish this Reflection with saying, that the *furious* and *rigid Tories* missed their Aim. The Pretender is not only not upon the Throne, but his Hopes are even less than ever. King *George* is in peaceable Possession; the *Tories* are humbled, and the *Whigs*, so lately oppressed, are now at the Top of the Wheel.

After the Reader has seen this brief Account of the Rise of the *Tories* and *Whigs*, he will be probably desirous and pleased to be more particularly let into their Views, their Interests, their Strength, and Characters. For this Purpose we must carefully distinguish the different Branches, which I have but slightly glanced at, and as it were by the Bye. It is necessary to repeat here again, that the two Factions may be considered under two different Views and Relations; namely, with respect to the State, and with regard to the Church. I shall first treat of the *State-Tories* and *Whigs*, after which, I shall consider them with respect to Religion.

The *Political* or *State-Tories* are, as I said, divided into two Branches, to one of which may be given the Name of the *Furious*: In *England* they are known by that of the *High-Flyers*. This Allusion to Birds that by soaring above the common Flight lose themselves in the Clouds, is pertinently enough applied to Men, who cannot be contained within the Limits of the established Government. These Men are for having the Sovereign as absolute in *England*

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as he is in *France* and some other Countries, and for erecting his Will into a Law. They give no Heed to what I advanced in the Beginning of this Dissertation, that all the Governments at this Day in *Europe* were in their Original very near the same with that established in *England*; and consequently that the *English* are by no Means obliged to imitate Nations who have suffered so excellent a Form to be lost, or at least very much defaced. It may well be imagined that in such a Country as *England*, this Party cannot be very numerous. And yet they are very considerable for three Reasons. The first is, that the Heads of this Party are Noblemen of the highest Rank, and commonly either Favourites and Ministers of State, or such as hold the greatest Places at Court, and the most eminent Dignities in the Church. These Men who, would be very unwilling to put themselves under the Conduct of others, finding themselves in Posts advantagious, use commonly to be the Leaders and Directors of all the *Tory-Party*. They manage the Party at Pleasure, not so much for the Advantage of the whole in general, as for their own particular Ends. Thus most frequently, under a Pretence of acting for the Interests of the Party, their Measures terminate only in their own Advantage, while the *Tories* are led much beyond the Desires and Aims of the greatest Part of them. It is this which gives Occasion for the general Accusation, that they are Favourers of despotick Power, whereas it is certain that only the *furious Tories* are chargeable with this Principle. But some Men think it no great Injury to charge a whole Body with what is done by their Leaders.

Secondly, This particular Branch of the *Tories* is considerable, in that, when they are in the Ministry, they engage the *Church-Tories* to maintain the Doctrine of *Passive Obedience*, which goes a great Way towards bringing the People into their Party. They insinuate to the *Episcopal* Ministers, that they have only in View the Ruin of the *Presbyterians*, and
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under Colour of this they engage them in the preaching up of a Doctrine which in its Consequences extends to all the Subjects. This was experienced in the Reigns of *Charles II*, *James II*, and of *Queen Anne*, towards the Conclusion.

Lastly, The Party of the *furious Tories* become powerful, when, as it frequently happens, they are supported by the King, and then it is that the Liberty of the Nation is in Danger. Proofs of this, besides those in the Reign of *James II* and *Charles I*, may be deduced as high as *Richard II*, *Edward II*, and *Henry III*; so that the Party of the *furious Tories* is of an older Date than is commonly imagined.

The second Branch of the *Political* or *State-Tories* is composed of those I called *moderate*. These are for having the King enjoy every Prerogative which belongs to him: But they are not, with the *Higb-Flyers* for complementing him with the Privileges of the Subject. They are true *Englishmen* who have the Welfare of their Country at Heart, and are desirous to maintain the Constitution on the same Bottom it was transmitted to them by their Ancestors. To them the State has often owed its Preservation, and to them it must have Recourse whenever it is attacked by the *furious Tory* or *Republican-Whig*, as to Men whose Opposition is only capable to rescue it out of such dangerous Hands. It would be an Injustice done them, to confound them with the *Higb-Flyers* under the general Denomination of *Tories*.

As there are two Branches of *State-Tories*, so the *State-Whigs* may likewise be distinguished into *Republican* and *Moderate Whigs*. The *Republican Whigs* are the Remains of that Party of the *Long Parliament* which undertook the turning the Government into a Commonwealth. These at present make so contemptible a Figure that they only help to strengthen the other *Whigs* with whom they usually go. The *Tories* would perswade the Publick that all *Whigs* are of this Kind. And in like Manner the *Whigs* would

would have it believed that all *Tories* are in the Principles of Despotism. But this is only an Artifice to render one another mutually odious.

Under the second Branch of the *Political* or *State-Whigs* are comprehended the *moderate Whigs*; Men nearly allied to the *moderate Tories* in Principle. And consequently to be esteemed as true *Englishmen*, who desire the Preservation of the Government upon its antient Foundations. Here they would tally exactly with the *moderate Tories*, were it not that the latter incline the Ballance to the Side of the King, and the former to that of the Parliament. The *moderate Whig* is ever in Motion to guard against the least Invasions on the Property of the Subject; and sometimes he takes his Measure at the Expence of the Crown. By him the *Triennial Act* was procured, with some others not necessary to be mentioned, to prevent the Abuse of the Royal Power. Hence it is evident that the *furious Tories* have no greater Enemy than the *moderate Whig*, and that these two Branches of *Whigs* and *Tories* properly form the Opposition between the *State-Tories* and *State-Whigs*. These last laugh at the Principle of *Passive Obedience* when pushed too far. Their Principle is, That the Royal Power has its Limits, which it cannot exceed without Injustice. Consequently it is their fixed Perswasion, that whenever any such Attempt is made by the Sovereign to go beyond the Bounds of his just Authority, the Subject is at Liberty to oppose his Designs. From hence it is easy to infer that it is their Opinion the King cannot dispense with the Laws.

What has been said is sufficient to shew that the *moderate State-Whigs* and *Tories* are very near in the same Sentiments. Their forming two different Factions, proceeds from their mutual Fears of each other's making the Ballance incline to either the King's or the Parliament's Side. It is not therefore at all strange, that these two Branches of the two contrary Parties, easily unite in the pressing Exigencies of the *State*. For their Views equally point to the

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Preservation of the Government ; though often they pursue their End by different Paths. Accordingly we see that the Union of these two Branches upon the Death of King *William* continues to this Day, and that the *moderate Whig* and *Tory* form almost the same Party, under the common Appellation of *Whig*. I dare not however affirm that there are not yet *moderate Tories* who keep at a Distance, and are unwilling to be confounded with the *Whigs*.

It must be remembred that hitherto I have only spoken of the *Tories* and *Whigs* with respect to the Government, without any regard to Religion. I take Heed not to confound Things which ought to be carefully distinguished. It is not true that all *Episcopal Men* are *Tories*, nor all *Presbyterians Whigs* with Relation to the Government, as is commonly imagined. A great many *Presbyterians* are in this Regard of the same Principles with the *moderate Tories*, and would not be less concerned to see the King stripped of his Prerogatives, than the Subject of his Privileges. In like manner many *Episcopal Men*, even *Bishops* themselves, are *Whigs*, stanch *Whigs* as to the Government, and as opposed to *furious Tories* ; which shews the Necessity of distinguishing *State-Tories* and *Whigs*, from *Church-Whigs* and *Tories*, of whom we are now going to speak.

It is to be presumed that the Reader is acquainted that the Church of *England*, when she received the Reformation, admitted only some Alterations in her *Doctrine* ; but preserved the *Hierarchy* with all the Ceremonies in which she saw nothing superstitious. The Reformation was not fully compleated till the Reign of *Elizabeth*. It was in her Time that divers Constitutions of the *Convocation*, enforced, by *Acts* of Parliament, settled the Publick Worship as it stands to this Day. Nevertheless a great many *English*, who had fled from the Rage of Queen *Mary*, returning from *France*, *Switzerland*, *Geneva*, and other Parts of *Germany*, brought along with them the Prejudices which they had imbibed, in favour of the Reformation,

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formation, as established in those Countries. These Men could not comply with the Reformation at home, as, in their Opinion, it had not been carried far enough from the Church of *Rome*. For this Reason they not only absented themselves from the Assemblies held in the way of the established Church; but even made an entire Separation, and held Assemblies in their own way, which immediately had the Name of *Conventicles*. Those who thus separated themselves were called *Presbyterians*, because, refusing their Submission to the Bishops, they maintained that all *Priests* or *Ministers* had an equal Authority in the Church, which ought to be governed by *Presbyteries*, or *Consistories*, composed of *Ministers* and *Lay-Elders*. Upon this Occasion were two Parties formed, which wanting the Condescendence and mutual Forbearance that might have been expected from Persons professing the same Religion, began to plague and vex each other with Disputes both in Conference and Writing. The Members of the Episcopal, or established Way, were very much displeased with Men who thus took upon them to reform what, after mature Deliberation, national Synods had decreed, and Parliaments confirmed. On the other Hand, the *Presbyterians* thought it no less strange, that they should be compelled to practise what they believed contrary to the Purity of Religion *, and with what their Consciences could not comply. The *Presbyterians* were long crushed by the Weight of Adversaries, whose Reasons were backed by the Authority of the Queen and Parliament.

The *Presbyterians* conceived great Hopes on the Accession of *James I*, to the Crown, because that Prince had always professed their Religion while he lived in *Scotland*. But as he readily conformed to the Church of *England*, they were not much eased. Nevertheless this Party, oppressed as it was, still grew under its Persecution; and when the Civil War broke

* This procured them the Name of *Puritans*.

broke out, found its Strength and Numbers considerably increased. King *Charles I.*, was so attached to the Church of *England*, that it may be affirmed that he dyed a *Martyr* to it, as is evident to any one that reads his History. His Opinion of the Purity of this Church, made him lend a willing Ear to *William Laud* Archbishop of *Canterbury*, suggesting to him the Reduction of the Church of *Scotland* under the same Government with that of *England*, by introducing the *Episcopal Hierarchy* into that Kingdom. This Undertaking engaged him in a War with *Scotland*, and that War produced the Parliament before-mentioned, against which he thought himself necessitated to take up Arms. This same Parliament wanting the Assistance of the *Scots*, could not obtain it but by an Engagement of making the Church of *England* *Presbyterian*. A Quarrel was therefore picked with *Bishops, Deans, and Chapters*, as preparatory to this Undertaking, and, in a Word, with the whole Church of *England*, which saw its *Hierarchy*, established by *Queen Elizabeth*, entirely overturned, and the *Scotch Presbyterian* Government introduced in its room. In this Distress the only Refuge left to the *Episcopal* Party was to side with the King; and as they had one common Interest with the *Cavaliers*, namely, the Maintenance of the King's Cause, they were confounded with them under the same *Party-Denomination*. The *Presbyterians* were in the same Manner reckoned among *Roundheads*, because they adhered to the Parliament.

Through the whole Long-Parliament, and as low as the Death of *Cromwell*, the Division of the Branches just mentioned, was scarce perceived. All who were known by the Name of *Roundheads*, or *Parliamentarians*, were *rigid Presbyterians* and *Republicans*. This was the Faction then in Vogue, and the only one that could prefer such as aspired to the Posts in the Gift of the Parliament. In like manner the Followers of the King's Party appeared to be *Furious Cavaliers*, or *Rigid Episcopalians*, because they were

the Men who, at that Time, were most in the good Graces of the Court. But on the Restoration of *Charles II*, the different Branches of the two Parties began to distinguish themselves. All the World being tired with the Troubles which had so long harassed the Kingdom, the Moderate of both Sides were now no longer fearful of discovering their Sentiments. Some of the *Presbyterians* testified a Readiness to relax something of their antient Stiffness in Point of Principle, and many *Episcopalians* were of Opinion that, for the sake of Peace, some Condescension ought to be used to the *Presbyterians*. These therefore were the Men of both the one and the other Party, who keeping to this *Moderation*, formed the two Branches of the *Moderate Whigs* and *Tories*, with respect to Religion. But still the greater Number in both Factions remained immoveable in their Principles with unaccountable Obstinacy. Amongst the *Episcopalians* were Men, who, upon no account whatever, could be brought to recede one Tittle from the Practice of their Church. As on the other Hand, the *Presbyterian Party* had Men amongst them, who would with as much Patience have heard a Minister deliver *Heresie* from the Pulpit, as have seen him read Prayers in a Surplice; and who branded with the Name of *Idolatrous* and *Superstitious* every Ceremony retained by the Church of *England*. This gave rise to the two Branches of the *Rigid Episcopalians* and *Presbyterians*, which subsist to this Day. The *Hierarchy* is the chief Subject of their Difference. The Distinction of *Whigs* and *Tories* comprehends both, because the *rigid Episcopalians* join with the *Tories*, and the *rigid Presbyterians* with the *Whigs*.

From all that has been said with relation to the different Branches of *Whig* and *Tory*, it is easy to gather that these two Names are very obscure and equivocal Terms, because they convey, or ought to convey to the Mind different Idea's, according to the Subject discoursed of. For Instance, I hear it af-

firmed in Conversation, that the *Tories* and *Whigs* are very much enraged one against another ; this raises in my Mind an Idea which takes in generally all the different Branches of both Factions. But if I am told that the *Tories* are for having the King absolute and independent, or that the *Whigs* would be glad the Regal Power were abolished, I cannot extend my Thought beyond the *Furious State-Tories*, or the *Republican-Whigs*. The Rest of the *Whigs* and *Tories* would doubtless be offended at any such Imputations. In like manner, if I hear that the *Tories* had rather see a *Papist* on the Throne than a *Protestant*, that should be favourable to the *Whigs*, I should injure the *Tories* in general, by imputing such a Thought to them, which can only enter into the Breast of the *Papish-Tories*, and perhaps of some *furious State-Tories*. Lastly, if I hear in Conversation that the *Whigs* aim at the Ruin of the Church of *England*, I understand this only of the *Presbyterian-Whigs*, since the *Episcopal Whigs*, amongst whom are several Bishops, cannot with any Colour of Justice be charged with a Design of ruining their own Church. Thus the Names of *Tories* and *Whigs* convey to the Mind certain confused Idea's, which few Persons are capable of rightly separating. But this Difficulty still increases, when it is considered that the same Person may be either *Whig* or *Tory*, according to the Subject we are upon. A *Presbyterian*, for Instance, who wishes the Ruin of the Church of *England*, is certainly for that Reason in the *Whig-Party*. But let this same *Presbyterian* oppose with all his Power the Attempts of some of his Party, for the destruction or diminution of the Regal Authority, and who will deny that this Man is, in that respect at least, a true *Tory*? In like manner, when the Church only is the Point in Hand, the *Episcopal-Party* can be considered in no other Light but that of *Tories*. But how many even of these are *Whigs* where the Government is concerned? Nor are they Foreigners only, who have such confused

Idea's in this Matter; the *English* themselves are not exempt from them. Nothing is more frequent, than to hear a *Whig* charging the whole Body of the *Tories*, with a Design of destroying all the Rights and Liberties of the Subject; and a *Tory* arraigning all *Whigs* without Distinction, as utter Enemies to the Constitution both in *Church* and *State*. Every Man turns this Confusion of Idea's, occasioned by the Names of *Whig* and *Tory*, to the charging of his Adversaries with what is most Odious in either Party.

After having thus given as distinct an Account as I was capable, of the Meaning of the two Terms of *Whig* and *Tory*, I am next to examine the different Springs and Interests of the two Parties. Were we to refer our selves to what the one says against the other, for Satisfaction in this Enquiry, nothing is more Just, more Upright, more Equitable, than the Motives which they act upon, namely, the Glory of God, the Honour of the King, the Publick Good, and the Welfare of the Nation. For my Part, if I may speak my Mind, it is my Belief that, as they are all Men, Interest is the grand Wheel which sets both in Motion. From the Time that the two Parties were formed, each has laboured with the most earnest Application to gain a Superiority over the other, because this is attended with Posts, Honours and Dignities, which are distributed among the Members of the prevailing, in exclusion of those of the contrary Faction. This made King *William* say that, *If he had Places enough to bestow, he should soon reconcile the two Parties*. There would be yet another Expedient to accomplish the End proposed by that Prince, and that would be the conferring all the advantageous Posts upon neutral Lords. But it may be asked where shall we find a sufficient Number of such, who are qualified to sustain the highest Posts? It is allowed indeed that the Number is but small. Nevertheless I must say that there are some, who, by their Capacity, their Impartiality, their Disinterestedness, would deserve a particular Distinction.

tion. I wish I had an exact Knowledge of them all, that their Names might be here inserted, with the just Encomiums due to each. But these Lords so worthy of being known, are but little heard of in foreign Parts, because as they make their Court to neither Party, Employs, generally speaking, fall not to their Share. Nevertheless, it sometimes happens that Ministers are in a manner obliged to find out these Neutral Lords, and advance them to the first Dignities in the Kingdom. We know one especially who without having ever paid his Court to Ministers either *Whig* or *Tory*, was sent Ambassadour and Plenipotentiary to conclude the Peace at *Ryswick*, honoured with the Order of the Garter, successively raised to the Offices of Lord Privy-Seal, Lord President of the Council, Lord High-Admiral of *England*, and Lord-Lieutenant of *Ireland*, though not one Step was made by him in Solicitation of those Dignities. I speak of the Earl of *Pembroke*, whose Name and Reputation are better known than those of some other Lords of the same Character, who ought to receive no Injury from my silence. Amongst all his other Virtues his Integrity in the great Posts which he has filled, calls for much nobler Encomiums than he can receive from the Pen of a Foreigner, who has neither the Honour to know him personally, nor to be known by him. A Dozen such Noblemen in *England* in the most eminent Posts, would infallibly crush both Factions at once. Then the Aspirers to Employs would make it a Merit to espouse no Party, and this Impartiality would immediately descend from the Great Men to the People. But this is a Happiness which is rather to be desired than hoped. Neutrality, far from promoting Persons of distinguished Merit, is on the contrary rather a sure Clog to hinder their Rising, because Ministers and the Heads of Factions have only at Heart the gratifying their own Creatures.

I have said that Interest is the principal Motive which puts the two Parties in Action, and this is but too apparent. If, for Instance, the *furious Tories* are desirous of seeing the Sovereign in Possession of absolute Power, I very much doubt whether this flows from a Desire of procuring the Welfare of the Kingdom, even though they should be persuaded that Despotism is the most compleat Form of Government: If the publick Good was the sole Spring of their Actions, they would not labour with so much Heat and Passion. The same may be in a manner said of the other Branches of the two Parties. Each would have it believed that they have only the good of the Kingdom in View, while in Fact they are only labouring for Themselves, their Family and Posterity. But when I say that Interest is their principal Motive, I pretend not to exclude entirely many others, which may actuate as well the Heads as the Members of each Party. Some believe that their Principles really tend to the good of the State; others act from a Religious Motive; some are swayed by Revenge, Party-Spirit, and the Desire of Superiority. Infinite other Motives there are which are not necessary to be enlarged on here; that I may not be led to examine the Conduct of Particulars, it is certain that many Men may pursue the same End from different Motives. It is of more Service to let the Reader into the Strength and different Interests of both Parties. In order to this, it is necessary to proceed in this Examination through the several Branches into which they are divided. I shall begin with the *Tories*.

It is difficult at first to conceive how in a Country blessed with so many Noble Priviledges as are enjoyed in *England*, and no where else, any Persons should be found who are desirous of seeing the King invested with unlimited Power. The Number indeed of those who openly profess themselves to be of the Party which I call the *furious Tories* is but very small. Nevertheless it is but too true that such a Party has
always

always been in *England*, and still is to this Day, though disowned by the greatest Part of those who are engaged in it. Can it be denied that such a Party existed under the Reign of *Charles I*? The very Judges of the Kingdom, who are esteemed the Interpreters of the Law, gave it as their Opinion, that in Case of Necessity the King might impose Taxes upon his Subjects, and that the King himself is the sole Judge of such Necessity. This was Cutting up by the Roots the noblest Prerogative of Parliament, and the principal Cause of its frequent Meetings. If the Sovereign can levy Taxes upon his Subjects without any Authority from Parliament, it may be affirmed that their Sessions will be very rare, and perhaps, in Time, come to nothing. But the Parliament once laid aside, what would become of the Privileges and Immunities of the Subject? In all likelihood the Case would be the same as it is in *France*, since the meeting of the States is discontinued. Farther, have we not seen under the Reign of *James II*, the Judges, as far as their Opinion could do it, invest the King with a Power of dispensing with the *Penal* Laws? And was not this making him absolute and independent of Parliaments? In short, we have seen *Charles I*, *Charles II*, *James II*, taking large Steps towards Arbitrary Power, which they would never have attempted, but in hopes of finding numerous Abettors. Let it be remembered what Steps were taken by *Queen Anne* in the last Years of her Reign; for Instance, in the precipitate Negotiation and Conclusion of the Peace of *Utrecht*, in the Creation of twelve Peers at once, in the Violences practised in Parliamentary-Elections; and it cannot be denied that they were so many advances towards Despotism, to which she was egged on by the Party I am speaking of. It is therefore certain that there is such a Party in the Kingdom. But as those who are engaged in it dare not openly avow their Principles, they cover them with the Pretence of maintaining the Rights of the Crown, as if their Views reached

Name and Party, engage them farther than they ought to go.

As to the *Church* or *Ecclesiastical Tories*, it may easily be conceived that they take in almost the whole Kingdom, as this Branch is formed of all the Members of the Church of *England*. Therefore when the Question is only concerning Religion, between the *Whig* and *Tory*, the former are by no Means a Match for the latter. To this Superiority is owing the Readiness with which the *Ecclesiastical Tories* shew their Resentment against the *Presbyterian Whigs*. It is not thus with the *Whigs*, who in their greatest Prosperity dare not even discover the least Thought of attacking the Church of *England*. They did it once under the *Long-Parliament*, and it will never be forgot by the *Tories*. They look upon the *Whig Faction* as an Enemy always ready to undermine the Foundations of their Church, and, from what was once done, infer the Desire of doing the like again, whenever a favourable Opportunity presents. This inclines them to receive with so much Readiness every Impression which from Time to Time is given them of the *Church's being in Danger*, and this is the Artifice with which they are so easily caught. Their Leaders know so well how to make use of this Disposition, that every Project of theirs relating to the State is always blended with some Interest of the Church. This is an admirable Expedient to unite the whole Party, which would be very much divided, were the Government only concerned. This gave *Charles I.* a Number of Abettors, whom assuredly he would have wanted, had the Parliament never fallen upon the Church of *England*. Moreover it was *this*, which in the Reign of *Charles II.* put the Duke of *York*, though a *Papist*, at the Head of the *Episcopal Tories*, who willingly concurred with him, for the Destruction of their Enemies. Whenever King *William* turned to the Side of the *Whigs*, the *Tories* were always full of imaginary Fears of his projecting the Ruin of their Church. The same Method

was practised in the first Years of Queen Anne, because the Ministry was then composed of *Whigs* or *moderate Tories*. The same imaginary Fear threw the *Episcopalians*, towards the Conclusion of that Reign, into the Schemes of Men who apparently had no Religion at all. In short, on this very Pretence, we lately saw in the Reign of King George a *Popish Pretender* called in to screen the Church of England from the Attempts which she might have to fear from the *Whigs*. It is therefore the established Religion which gives Power to the *Tory Party*. It is certain that if the Secret of Interesting the Church in the Quarrel was not known, the *furious Tories* would make a very contemptible Figure, and the Difference between the *moderate Whigs* and *Tories* would cause none of those Disturbances in the Kingdom, which have reigned so long there.

It is true that amongst the *Church-Tories*, there are a great many who are very sensible of the Artifices which engage the whole Party in a Quarrel which is only advantageous to a few. Of this Number are these whom I call *Low Church-Men*, who are some of them in Possession of the first Dignities of the Church. But they are by no Means the strongest. The Party of the *rigid Churchmen* is by far the most numerous. This last Branch is composed of almost all the lower Clergy, of some Bishops, of both Universities, particularly that of Oxford, and those Bodies draw after them infinite Numbers of Lay Persons. These *rigid Men* compose the *High-Church*, as it is called, that is to say, a Church which has no Mixture of *Presbyterianism*. These Men are so attached to every Form and Mode of the Church of England, that they would not relax upon any one Point for any Consideration whatsoever, and by this their Stiffness, they discover more of the Spirit of Party, than of Zeal for Religion. I should not even fear to say, that many of these Men would rather chuse to see England under *Popery* than *Presbyterianism*. Now as the *Low-Churchmen*, though
more

more moderate in their Opinions, nevertheless look upon the *Hierarchy* as an essential Point; it is not at all surprizing, that the *Tories* are all united when the Growth of *Whiggism* is to be opposed, which has all the *Presbyterians* in its Party. It is perhaps an Artifice of the *State-Tories* to have given, or at least to continue with so much Care, the Name of *Tories* to the *Episcopalians*; in order to confound in the same Party, Interests of a different Nature, because this Confusion is very serviceable to them.

The *Papists* are likewise considered as one Branch of *Tories*, because they always continue attached to this Faction. As they can never hope to see *Popery* the reigning Religion, until an absolute King is on the Throne, it is not at all strange that they side with the *furious Tories*. Such Friends indeed would bring but a small Accession of Strength to the *Tories*, if the *English Papists* were the whole; because as they have neither Places, nor Votes in Elections, their Influence can be but small. But this Admission of *Papists* into the *Tory-Interest*, engages likewise foreign *Powers* in it, who can on certain Occasions be very serviceable. Nevertheless it cannot be denied, that by this the *Tories* give their Enemies great Advantages against them, who make use of this Pretence to render them odious.

If the Leaders of the *Tory Party* had only the Prerogatives of the King, and the Rights of the Church of *England* at Heart, one might almost assure perpetual Victory to them, as they would be pursuing the true Interest of the Kingdom. But as it sometimes happens that these are only Prettexts to cover other Designs, less agreeable to the Good of the State, when once these Designs are discovered, their Friends generally draw off, a Division of the *Tory-Members* being a necessary Consequence of such Discovery. This makes me think that it is next to impossible that they should ever succeed in their Views of setting the *Pretender* upon the Throne, or of investing any King whatsoever with absolute Power. This Opin-

nion of mine arises from this, that neither the Interest nor the Wishes of the Nation in general incline that Way. And hence it is, that they so firmly espouse the Interests of *France*, as they are very sensible they need the Assistance of that Nation. It was seen in the last War, that the ill Successes of that Crown were so many terrible Mortifications to them, and therefore every Artifice was made Use of to lessen the Importance of them: Accordingly when they were at the Helm, their first Care was to close up the Wounds which *France* had received. Nevertheless it is very difficult for *France* to put them in Possession of their Wishes. *Great Britain* is an Island which cannot be attacked unawares; and which, while there is a good Understanding between King and Parliament, can send out Fleets which *France* is not in a Condition to look in the Face.

The *furious Tories* are therefore to be considered as a Faction, which has no Encouragement from the Conjunctions of the Time, consequently their Interest is to keep themselves in a State of Inaction, until a more favourable Opportunity offers to exert themselves. But to be Quiet is no Part of their Character. They are incapable of sitting still while they see themselves excluded from all Places of Honour and Profit. Which probably are the main Springs which set them in Motion. It is nevertheless certain, that the Disturbances raised by them from Time to Time to very little Purpose, are attended with great Injury to themselves, as well as to all the *Tories* in general, who never miss of being charged with the Faults and Passions of those who are looked upon as their Leaders. This very Consideration obliges some of the more *moderate* to desert their Party.

As to the three other Branches of the *Tories*, that is to say the *moderate*, the *rigid*, and the *low*, it would be a Folly in the *Whigs* to think of their Ruin by violent Methods. This could not be executed without over-turning the whole Fabrick of the Constitution. They may indeed exclude them from
 Posts

Posts and publick Employes. But should their Imprudence incite them to an Attempt against the Church of *England*, they would run the hazard of raising a Storm, which might cost them the Superiority they at present enjoy. Therefore it is the Interest of the *Whigs* to leave the Church in repose, and their Conduct makes it manifest that they are perfectly convinced of this Truth. Though the Provocations given them have been many, it is not seen that their present Enjoyment of Power inspires any Thoughts of Revenge upon the *Episcopal* Party. On the contrary their grand Aim is to divide that Party from the Rest of the *Tories*, by convincing them that they bear no Ill-will to the Church. If they could succeed here, their Victory over the *furious Tories* could not fail of being compleat. But these last sufficiently sensible of the Prejudice, which this Conduct brings to them, endeavour to prevent its Effects by always bringing the Church into their Quarrel, and inspiring the People with continual Alarms of Danger to the Church of *England* from the Practices of the *Whigs*.

After having thus laid open the *Views*, *Strength*, and *Interest* of the *Tory-Faction*, I am next to speak to the four Branches of the *Whigs*, their Opposites. As to the *Republican-Whigs* they are at present very inconsiderable as to Number, and their Party daily diminishes. There is not the least Probability of their ever finding again an Opportunity like that which they had during the Troubles of *Charles I's* Reign.

I have already taken Notice that the main Difference betwixt the *moderate Whigs* and *moderate Tories* lies in this; that these run the Ballance on the Side of the King, and those on that of the Subject. But this prevents not their joining when the State is in Danger. Were the *moderate Tories* not all *Episcopal*, and the *moderate Whigs* with fewer *Presbyterians* amongst them, it might be hoped that these two Branches of *Whig* and *Tory* would remain for ever united;

united; as they seemed to be upon the Death of King *William*. But when I say that the one incline most on the Side of the King, and the others on that of the Subject, I speak only the Truth, without Regard to what the *Parties* say. They on the contrary assure you, that they have no other Aim than the Preservation of the Government in the Condition that it has subsisted for so many Ages. So that when you hear them speak, you would think they form, and always had formed one and the same Party. It is nevertheless but too true, that their different Inclination frequently obliges them to divide, though it is to be presumed that their Intentions are equally good, and their Differences only founded in the Means made use of to put them in Execution. One Side perhaps is too jealous of the Increase of the Royal Prerogative, and the other fears it not enough. But still it is Religion which gives them the most essential Distinction, as one Party is composed wholly of *Episcopalians*, and the other has a great Mixture of *Presbyterians*. Now to distinguish well the Interests of the *Church* from those of the *State*, requires a Discernment of which all are not capable. Nevertheless it may be affirmed, that the Branch of the *moderate Whigs* considered separately, and in it self, is not less powerful than that of the *moderate Tories*. But when both join together they form a Party which would be resistless, if Religion were out of the Question. The great Business therefore of the *moderate Whigs* is to assist the People as much as possible, to part the Interests of the *Church* from those of the *State*; for which Purpose they are to treat the *Episcopal* Party with great Moderation. Nor ought they to be less careful how they listen to the *Republican-Whigs*, which would only exasperate the *moderate Tories*, who in many Cases are necessary to them. But on the other Hand, nothing ought to be neglected by them for the breaking the Measures of the *furious Tories*, who are their real Enemies. Such is the Course they are to steer to preserve their Reputation and Credit.

Come

Come we now to the *Ecclesiastical Whigs* as I have termed them. These are divided into two Branches, of which the first is, that of the *rigid Presbyterians*, who absolutely reject not only the *Ecclesiastical Hierarchy*, but moreover every Ceremony practised in the Church of England. Their Number is very considerable in England, but they are still more considerable by having all Scotland on their Side. They are continually labouring the Propagation of *Presbyterianism*, and on some Occasions the leading *Whigs*, to make them easy, are obliged to take some Steps which are prejudicial to the whole Party. It is easy to conceive, that the Interest of the *rigid Presbyterians* requires an Innovation in the established Religion, because it can only be by some great Revolution that their own can ever be uppermost. Wherefore they are looked on as dangerous Men, and very unfit to Head the Party of the *Whigs*, who in all Appearance, would be but ill conducted by such Leaders.

Lastly, there is another Branch of *Ecclesiastical Whigs*, which takes in the *moderate Presbyterians*; and into this Scale we may throw the rest of the *Non-Conformists*, as *Quakers*, *Anabaptists*, &c. who find more Encouragement from the *Whigs* than from the *Tories*, though at the bottom their Junction brings no great Accession of Strength to the Party. The *moderate Presbyterians* less scrupulous, less passionate, and less obstinate than the *Rigid* ones, make no Scruple to join the Assemblies held in the way of the established Church, and even of communicating therein when their Interest requires. If it were left to their Choice, *Presbyterianism* would be the reigning Religion. But they cannot think it consistent with any Prudence to labour to make it so by violent Methods. They are sufficiently sensible that such an Attempt would infallibly unite all the *Tories* against them; whereas it is the Interest of all the *Whigs* to hold them divided by artfully keeping up the Distinction between *State* and *Church-Tories*, and letting the World see that their Designs are not aimed against the

the latter. These *moderate Presbyterians* are, out of all doubt, the most dangerous Enemies that the *furious* and *rigid Tories* have to do with, because the Moderation of their Conduct disarms their Enemies, and deprives them of the beaten Topick, of Danger intended to the Church of *England*. These were the Men struck at by the *Tories* in their Act passed, towards the Conclusion of Queen *Anne's* Reign, to prevent *Occasional Conformity*. As Numbers are unacquainted with the Nature of this Act I shall in few Words explain it.

We have seen before, that under the Reign of *Charles II.* an Act passed called the *Conformity Act*, whereby any Person admitted to any Publick Employ was to bring a Certificate of his having received the Communion in the Church of *England*. The Intent of this Act was to exclude all *Non-Conformists* from Places of any Kind. It had indeed the Success desired with regard to the *rigid Presbyterians*, who could not bring themselves to receive the Communion from the Hands of a Bishop, or a Minister of the *Episcopal Church*. But the *moderate Presbyterians* were troubled with none of those Scruples. On their Admission to any Post that required it, they never hesitated to receive the Communion in an *Episcopal Church*, and to take the proper Certificates. It was not possible for the *Tories* to add any Explanation to this Act during the Reign of King *James*, who on the contrary, indulged an universal Liberty of Conscience; nor in the Life of King *William*, or the first Years of Queen *Anne*. But having the Power in their Hands, at the Conclusion of her Reign, they were not contented with reviving this Act, but added to it a Clause to prevent *Occasional Conformity*, or the communicating in the Church of *England* for the sake of some Employment under the Government. This excluded not only the *rigid* but moreover the *moderate Presbyterians* from all Publick Trusts. In Effect, by this Act which is still in Force, it is not sufficient to communicate once in an *Episcopal Church* to qualify

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one's Self for a Place, as was the Practice before, but it must appear from the Tenour of a Man's Practice, that he is truly and really a Member of the Church of *England*. If the *Whigs* who at present are in Power, should think of a repeal of this *Act*, the Motion would be immediately complied with. But for Reasons already hinted at, there is great Likelihood that it will be left in Force, and its Enemies content themselves with winking at the Offences committed against it.

The Strength of the two Parties being such as we have seen, and the Interest of the different Branches so opposite; it seems to me a natural Consequence, that the Placing a *Popish* Prince upon the Throne, while the King and Parliament are in Union, and the Rights of the Church are left untouched, is a Thing almost impossible. Some Illusions may from Time to Time be put upon the People by Fears suggested of the Church's Danger: But such Illusions cannot possibly be of any long Continuance, when it is seen that no Attempts are made that way. Now if Religion is not concerned, that is to say, if the *Episcopalians* shall not think themselves under any absolute Necessity of trying all ways to save their Church from Ruin, the Endeavours made in favour of the *Pretender*, will ever prove feeble and unsuccessful. As often as any Attempt shall be made to place him upon the Throne, the *moderate State* and *Church-Tories* will join the Party of the *Whigs*, and in such Case prove an Over-match for the *furious Tories*, even backed by the *rigid Church-Tories*, which probably never will be. For we are not to imagine from the Noise of a few of these *rigid Church-Tories*, that the whole Faction are desirous of seeing a *Popish* Prince upon the Throne. They are zealous for the Church, but a Church that is *Protestant*; and this very Zeal forbids their hazarding the Ruin of their Religion. It will be said perhaps that *France* will assist the *furious Tories* with all her Forces. This is what I cannot easily believe for Reasons I shall mention hereafter;

after ; but though *France* should heartily engage in this Undertaking, yet the Execution would be difficult on account of the Situation and Naval Power of *England*. I see nothing but a Surprize which could be capable of producing the Effect desired by the *furious Tories* and *Papists*, and some *rigid* Churchmen. In the mean Time there is great likelihood that the Attempt lately made, will oblige the King and Parliament to take all necessary Precautions against any such Surprizes for the future.

There is still another everlasting Obstacle which lies in the way of a *Popish* Prince, and that 'is, the Possession of some good Share or other of the Lands of the Monasteries suppressed by *Henry VIII*, by almost every distinguished Family in *England*. The Ancestors of the present Possessors either received them in Presents from the King, or purchased them of him at an easy Rate. If then a *Popish Prince* should at this Day mount the Throne, there is almost no doubt to be made but he would try to make his the reigning Religion. But should his Attempt prove successful, what Danger would not these Estates be in ? In all probability they would be wrested out of the Hands of the present Possessors. Nay, who knows that they would not be called to account for the Rents and Profits that have arisen from thence ? It is therefore manifest, that the *Tories* and *Whigs* have an equal Interest in the Prevention of this Danger. If the Advocates for a *Popish* Prince were to be strictly examined, it would be found, without doubt, either that they have no Possessions of this kind, or believe they have particular Reasons to flatter themselves with an Exemption from the general Law, or with being made amends some other way.

I am now to give a more distinct Idea of the two Parties of *Whigs* and *Tories*, by showing their respective Characters.

The *Tories* in general are fierce and haughty. The *Whigs* are treated by them with the utmost Contempt, and even with Rigour when they have them under.

As the *Tory-Faction* is composed of *Episcopalians*, who properly make the Body of the Nation ; they look upon themselves as the prevailing Party, and cannot bear the Thoughts of Equality, much less of Superiority, in their Adversaries. I cannot better compare the Behaviour of the *Tories* to the *Whigs*, than to that of the *Roman Catholics* to the *Protestants* in Countries where the former have the Advantage of Number, and the Support of the Government. It is with regret that the *Tories* allow the *Presbyterians* even Liberty of Conscience. When the Power is in their Hands they seldom fail to prohibit their Assemblies, and to exclude them from Publick Employments by *Acts* of Parliament. The last Years of *Queen Anne* afforded flagrant Instances of the Haughtiness of this Party.

There is still another Character which belongs to them. They are exceeding passionate and precipitate in their Motions. This often disconcerts all their Projects. When they have the Reins in their Hands they drive with amazing Rapidity. Surprising Proofs of this were seen under the Reigns of *Charles II*, *James II*, and the late Queen. Nevertheless it is to be owned that this Rapidity is not always the Result of blind ungoverned Fury, but has sometimes its Foundation in Politicks. As the *furious Tories*, who are commonly at the Head of the whole Party, have sometimes Schemes for the Alteration of the Government, in pursuit of them they are obliged to lay immediate hold on the first Expedient which offers, because the Opportunities to effect their Designs are naturally short and transient. For Instance, under the Reign of *Charles II*, it was necessary to stop the Progress of the *Whigs*, for fear the King, who was with some Difficulty, and for other Interest than his own brought into the Plot, should happen to alter his Mind. Besides, no Time was to be lost, because it was well known that the *Whigs* were hard at Work to let the Nation into the Designs of the Court. So again, when *James II*, ascended the Throne, the Presumptive

sumptive Heiress to the Crown was his eldest Daughter the Princess of *Orange*, a Lady firmly attached to the *Protestant-Interest*. Wherefore as the King might dye without Heir-Male, all his Schemes he saw would prove abortive by his Death, if he took not proper Care to finish the Work during his Life. It was necessary therefore to make haste, because the like Opportunity would in all Appearance never offer again after his Death. For the same Reason, Queen *Anne* being Childless when she put the Ministry into *Tory* Hands, a Peace was to be concluded with *France* out of Hand, and speedy Measures taken for securing the Crown to the *Pretender*, for fear her Death should prevent the Execution, as it actually fell out. It was undoubtedly with this View that a Peace was so hastily struck up with *Lewis XIV*, because his Assistance was thought necessary to accomplish the Work. Probably, if the Queen had lived a little longer, the Act of Succession had been repealed. But this Precipitation which seems so necessary to the Schemes of the *Tories*, is on the other Hand prejudicial to them, as it too often lays open the Designs of their Leaders, which are of a Nature that requires a slow and gradual Execution. To secure the desired Success, they must necessarily have a long and peaceable Reign, a King that favours their Designs, and is able to manage himself, or at least is ready to be guided by their Counsels.

Another Character of the *Tories* is, their Change of Principle as their Party prevails or otherwise. When they have the Prince on their Side, the Doctrine of *Passive Obedience* is supported with all their Power, and every Ordinance of the King is to be obeyed without any Discussion of the Thing enjoined ; the Meaning of which is to disarm the *Whigs*, and persuade them to suffer themselves to be oppressed without making any Resistance. But when the Government is in other Hands this same Doctrine is by them laid aside or forgotten. Thus we see in all the *Tory-Writers*, who have transmitted the Troubles of the

Reign of *Charles I*, the Doctrine of *Passive Obedience* established as a Principle certain and incontestable. This is owing to their Passion of having all the Measures of the Parliament, for their own Defence ; every Opposition of the same to the Designs of the King, esteemed as the blackest Treason. Again, when the *Presbyterians* were persecuted in *Charles II's* Reign, *Passive Obedience* echoed every where. But it was still worse under *James II*. I my self remember to have heard the Consequences of this Doctrine pushed from the Pulpit as far, and perhaps farther than ever they had been in *France*, under the Reign of *Lewis XIV*. Great Strefs was laid upon a Canon of a Convocation of the Church of *England*, which imported, " That Arms taken up against the King by the Subject, let the Pretence be what it would, was direct Rebellion ; That whether the Subject was upon the *Offensive* or *Defensive*, he was clearly condemned by *St. Paul*, who tells him, *That he shall receive to himself Damnation.*" But the Convocation in which this Canon was made, was held under Archbishop *Laud*, when *Charles I*, was absolute, a little before the Beginning of the Troubles. But when King *William* was upon the Throne, the Doctrine of *Passive Obedience* was no longer inforced, because that King was considered as no Friend to the *Tories*. The Case was the same under Queen *Anne*, while the Ministry was composed of *Whigs* and moderate *Tories*. But the Doctrine revived when that Princess had delivered herself up to the Conduct of the *furious Tories*. Since King *George* has filled the Throne, the *furious* and *rigid Tories* plainly show that this Doctrine is only admitted by them when they have a Prince of their own Party, but is rejected without any Scruple when the Government is not for them. For this Purpose they have a Distinction ready betwixt a King *de jure*, and a King *de facto*, and maintain that only the King *de jure* has a Title to this Obedience ; but such is every King who favours them, whether he is upon the Throne, or has only Pretensions to it.

Let

Let us now speak to the Character of the *Whigs*. Those of this Faction who are of the *rigid Presbyterians*, are a stubborn obstinate Generation, who perhaps would be neither less hot nor passionate than the *Tories* were they in Possession of Power. But as ever since the *Long Parliament* the Party has never been under their Direction, it is not upon them that we are to form the general Character of the *Whigs*, whereas that of the *Tories* is to be taken principally from the *furious* and *rigid Tories*, who are their Leaders and Directors.

Those who are at the Head of the *Whig Faction*, are much more moderate than the Leaders of the *Tories*. Besides, their Conduct proceeds generally upon fixed Principles, from which they never vary, except when the *Presbyterians* are to have Favour shown them, to keep them in Heart. Far from desiring, like the *Tories*, to carry Things with a high Hand, and by dint of Force, they advance gradually, without Heat or Violence. Their greatest Trouble is to curb the Passion of some among them, who, were they suffered to have their way, would quickly ruin the Party. By this Moderation, they try to insinuate mildly into the People, that they have no ill Designs against the Church of *England*, to the End they may separate the *Church-Tories* from the *furious Tories*. As it is for the Interest of the *Tories* to confound all the Branches of their Party, and blend them together into one Body, to be directed by the Leaders; so it is the Business of the *Whigs* to have these several Branches distinguished, that the *Episcopalians* may be prevented from being Tools to the Designs of the *furious Tories*. But they would never be able to gain this Point were they to use Violence. Thus the Gentleness and Moderation of the *Whigs* is no less founded in Policy, than the Hastiness and Precipitation of the *Tories*.

The *Whigs* are charged with being greedy of Riches and Honours, and ungrateful to their Adherents, which makes their Friends often forsake them. I can say nothing to this, not being well enough informed

of the Particular Concerns of the Party. Besides, the examining this Imputation would lead me to consider the Conduct of those who think themselves ill dealt with, a Thing I would avoid, as contrary to my Intent of keeping to Generals. However this be, it may be said for the *moderate Whigs*, that generally their Cause is good, namely, the Constitution of the Government is established by Law. They err indeed sometimes through too much Care and Distrust, which makes them now and then do Things contrary to their true Interest, and repugnant to their own Principles, seeing on certain Occasions they maintain the Privileges of the Nation and Parliament, by in-croaching on the Prerogatives of the Crown.

As to the *Ecclesiastical Whigs*, who are no other than the *Presbyterians*, all that can be said of them, is, that they are extremely prejudiced against *Bishops*, and the whole *Hierarchy*. Now the Question is, whether this same Prejudice be well grounded, or in case it be so, whether it affords just Cause for Separation. For my Part, I look upon this Dispute between the *Episcopalians* and *Presbyterians* as of little Consequence, And therefore I can by no means approve the *Stiffness* of the *Presbyterians* in a Country where the Reformation is established according to the Way of the Church of *England*, since the two Churches differ in no essential Point. I say the same of the *Scotch Episcopalians*, and perhaps in *England* it self greater Regard should be had to the Scruples of the *Presbyterians*. But this is only my private Opinion, which I do not intend to impose as a Rule for the one or the other to go by.

Before I proceed, it will be proper to obviate an Objection which may naturally occur to the Reader, namely, That every Thing in *England* being done by way of Parliaments, these Unions above-mentioned, whether of the Branches of the same Party, or of the Branches of different Parties, seem to no Purpose, unless made in the Parliament it self between the Members. But so far are such Unions from taking
Place

Place in the Parliament, that one of the Parties generally so prevails there, as to render the Union of the rest of the Members intirely insignificant.

To this I answer, first, that the Parliament consisting of two Houses, whereof that of the Lords remains always the same without any considerable Change, these Unions may take Place in that House whose Principles are not so variable as those of the *Commons*. Now as the *Upper-House* has Power to throw out the *Bills* sent up by the *Lower*, it follows that the Lords, by means of such Unions, may break the *Commons* Measures. Consequently these Unions may be of great Moment.

Secondly, these Unions may influence the Elections of Members. For Instance, on Suspicion that a *Papist* Prince is intended to be set on the Throne, the *moderate Tories* and *Low-Church-men* may join with *Whigs*, and cause such Representatives to be chosen as are against what is feared, and thereby break the Measures of the *furious* and *rigid Tories*.

Thirdly, even in a House of *Commons*, where the *Tory*-Members have the Majority, the *moderate* among them seeing some Design in Hand prejudicial to the Nation, may, very possibly go with the *Whigs*, and hinder it from taking Effect. The *moderate Whigs* might in like manner join with the *Tories*, if they saw the *Republican*-Party growing too strong.

It must however be owned that Party-Spirit, the Cabals of the Leading-Men, the Intrigues of the Court, Private Interest, may bear too great a Sway in the Debates of Parliament. To say all in a Word, the Parliament is made up of *Men* who are not free from Passions. If the Parliament were to answer the Idea which those conceive of it who are not thoroughly acquainted with its Nature, it would be an *Assembly* of *Perfect* Men. But as there is no such Thing, it would be proper, at least, to reform certain Abuses, for which hitherto no Remedy has been found, or it may be so much as sought. Though this leads me a little from my Subject, I shall stay a Moment and make

make bold to point out some of these Abuses. This may at least serve to give a fuller Knowledge of the *English* Constitution, which though excellent in its Nature, is nevertheless liable to some Imperfections.

The first Abuse lies in the too great Influence of the Court in the Elections of Members, and consequently in the Resolutions of the Parliament. This Influence, as is plain, is owing to the Division between the *Whigs* and *Tories* which gives the King an Advantage, he would doubtless be without, were all the People of one Mind. When one of the Parties gets into the Ministry, the Lieutenancies of the Counties and all the Court-Places are conferred on their Creatures. That done, a new Parliament is called. Then besides the Money privately distributed by the Ministry, if Report is to be credited, the Persons that are in Authority in the Towns and Counties, use all their Interest and Skill to get such Members chosen as are favourable to the Court, that the Ministry may have a Majority of Votes in the House of *Commons*. We may judge how effectual these Intrigues are by this single Consideration, that commonly their is a *Whig*-Parliament when the Ministry is so, and a *Tory*-Parliament when the Ministers are *Tories*. Nevertheless the Thing is not so very certain, but that we find sometimes most of the Elections to be carried against the Court. But this scarce ever happens, unless the Nation in general is satisfied that the Court is aiming at some Thing destructive of the State, or the Liberties of the Subject. I say nothing of our seeing in the late Reign twelve Peers created at once, with the sole View of procuring the Court a Majority in the House of Lords. This is a palpable as well as a very dangerous Abuse.

Another Abuse lies in many small Burroughs having a Right to send Representatives to Parliament whose Votes have the same Weight with those of the Members of *London* and *Westminster*, notwithstanding the great Disproportion between the Electors of the
one

one and the other. In these insignificant Boroughs it is, that by the Influence of the Court, Members are chosen that have not so much as one Foot of Land near the Place. It is urged by some, that these Boroughs have a Right of as long Standing as the Parliament it self, having enjoyed it ever since the Time of the *Anglo-Saxons*; others take it to be of a much later Date. But, however that be, it is at present a monstrous Abuse, that Villages of four or five thatched Houses, should be upon the Level in Parliament with the largest Cities of the Kingdom.

A third Abuse there is of great Importance, and which ought to be reformed, since it is in some Measure contrary to *Magna Charta*, on which the *English* found their Liberties and Privileges. In this Charter, King *John* promises in exprefs Terms, for himself and Successors, to declare beforehand the Cause of the Summons to Parliament. As long as this Custom was observed, the Points to be debated in Parliament were not many, for which the Members came prepared, and the Sessions never lasted but a few Days. If this was the Way now, the Boroughs and Counties might give their Representatives Instructions upon the Affairs for which the Parliament is summoned, or at least, might chuse such Members as are of the same Sentiments with the Electors. But at present, several Abuses spring from the Non-observance of this Method.

In the first Place, the Sessions hold as long as the King pleases, and are ended when he thinks proper. *Henry IV* turned this Privilege to his Advantage by keeping the Parliament together, till the desired *Subsidy* was granted. In the next Place, the Electors not knowing the Business the Parliament is to go upon, are forced to give their Representatives an unlimited Power. Hence arises another Abuse. It often happens that the Representatives of a Borough or County are of a contrary Opinion to those that send them. It may therefore fall out, nay it is frequently the Case, that the Resolves of the *Lower House*

House are directly opposite to the Sentiments of the People whose Representatives they are. So that it is not the People or Commons of *England* that share the Legislative Power with the King and Peers, but their Representatives, who enjoy a Privilege which belongs only to the People in general, to whom nevertheless they are not accountable for their Conduct. All the Damage they can incur, in Case they have acted contrary to the Sense of their Borough or County, is not to be chosen another Time. This seems therefore to be lodging too great a Power in bare Representatives. It was not so in *France*, when the States of this Kingdom used to be convened. Every Province drew up before-hand, their particular Instructions *, from which their Deputies were not allowed to swerve. In like manner, in important Affairs to be debated by the *States General* of the *United-Provinces*, the Deputies receive Instructions from their Provinces; and in the particular States of each Province, the Magistrates of the Towns give their Orders and Instructions to their Deputies.

A fourth Abuse lies in the publick Canvassings at the Time of Elections, with great Expence. It costs some Men Thousands of Pounds to be elected, and this openly in the Face of all the World.

Lastly, there is another sort of Abuse in the House of *Commons*, that is, that the Members are allowed to go and come or absent themselves just as they please, except on certain extraordinary Occasions; insomuch that of five hundred and thirteen Members, if I mistake not the Number, there are not present sometimes above one hundred and fifty. This makes it much more easy for the Parties to carry their Points than if the House were full. Moreover Abundance of Members, though in *London*, do not constantly attend the House, but keep away upon any the slightest Affair of their own. This puts me in Mind of a pleasant Story, with which I shall close this Digression.

* Called in *French*, *les Cahiers*.

sion. A *Whig*-Member telling one of the same Party in great Anger, "That if he had been at the House that Morning, they should have carried an important Point." The other calmly asked him, "By how many they lost it? But by one single Vote, says he." The other replies, "Had I been there, we should have lost it by four, for there would have been just four *Tories* more, whom I kept all this Morning on Purpose at a Tavern."

It remains only that I briefly touch upon the Interest of the neighbouring States, with Regard to the *Whigs* and *Tories*. Though the Differences between the two Parties seem only to respect *England*, yet have they a great Influence on the Affairs of the other States. The Peace of *Utrecht* is a clear Evidence of what Consequence they are to all *Europe*.

All the World knows that the *States-General* of the *United-Provinces* are Friends of the *Whigs* and very justly, since the *Whigs* have all along supported their Interest in *England*. The *Whigs* were they that obliged *Charles II* to make a Peace with *Holland*, when he was in League with *Lewis XIV* against her. From that Time, they have ever considered the Interest of the *Dutch* as their own. Accordingly in their Turn they have received signal Services from them, particularly in the Assistance given by the *States-General* to the Prince of *Orange*, to go and break King *James's* Measures. This good Understanding is still cultivated and even increased since; so that the *Dutch* may be said to be *Whigs*, and the *Whigs* to be *Dutch*. The Reason of this Union is evident. For *France*, the standing Enemy of *Holland*, ever supported the *Tories*; whence it follows, that *Holland* is obliged to stand by the *Whigs*, since she cannot expect any Assistance from *England*, but by their Means. This is so clear a Case, that it needs no farther Explanation.

For the same Reason, the Emperour, as Sovereign of the *Netherlands*, ought to be a Friend to the *Whigs*. As he must look upon the King of *France*, as a very formidable and dangerous Neighbour, he cannot expect the Assistance of the *English*, in Case his Dominions are invaded, but when the *Whigs* are in Power. In all Appearance, the *Tories* would not be very forward to exert themselves in the Defence of the *Netherlands* against the Invasions of *France*. But, should the Emperour, through excessive Zeal for his Religion, happen to lend his helping Hand to set the *Pretender* on the Throne of *England*, he would by that only render *France* still more powerful, and throw into the Balance of *Europe* a Weight which would make the Scale entirely incline to one Side.

The Interests of *France* with Regard to the *Whigs* and *Tories*, afford Matter for a much greater Number of Observations. In general, it is doubtless the Interest of that Crown to cultivate a good Understanding with *England*. Since the Growth of the House of *Austria*, that is to say, since about two Hundred Years, *England* has ever had it in her Power to incline the Balance either on the Side of *Austria* or on the Side of *France* as she pleased. But it has been her standing Interest to keep the Scales even between these two Powers. This has been the Hinge on which the Politicks of the Kings of *England* have turned, for two Centuries. *Henry the Eighth's* varying sometimes from this Course is to be ascribed wholly to the private Interests of Cardinal *Wolsey* his prime Minister, or to his own Whims. So then it was ever the Interest of *France* to keep fair with *England*. Accordingly the Drift of *Lewis XIV's* Politicks, has been for these fifty Years either to get *England* on his Side, or at least, to prevent her from espousing the Quarrel of his Enemies. But as it was no easy Matter for that Monarch to persuade the *English* that the inclining the Balance to his Side was for their Advantage, he confined his Endeavours to hin-

der

der them from concerning themselves in the Affairs of *Europe*, to the End he might proceed without any Opposition from them. But it must be observed, that these Politicks of his had a View only to his vast Designs of enslaving all *Europe*. Otherwise, he would have had no need to trouble himself about the *English*. To set this Matter in a clearer Light, it will not be amiss to shew briefly how this Monarch managed with respect to *England*.

Lewis XIV, as every Body knows, formed the Project of an universal Monarchy in *Europe*. As he was not ignorant that *England* was concerned to keep the Balance of *Europe* even, and that the *English* deemed the doing so, the main Foundation of their Security, he was justly apprehensive of their opposing the Executions of his Designs. For Prevention of which, he used all his Skill and Address to gain *Charles II* to his Interests, when he had resolved upon a War with *Holland* in 1672. The Ministry being *Tory*, he drew *Charles*, by their Means, into a League with him. But this League was of no long Continuance. It was so evidently against the Interest of *England*, that the Parliament obliged the King to conclude a Peace with *Holland*. Nay, would have constrained him to declare against *France*, if the Prospect of an approaching Peace between that Crown and the *States-General*, had not hindered them from going so far.

The Peace of *Nimeguen*, concluded in 1678, caused not the King of *France* to cease the Prosecution of his grand Designs. But as he was very sensible, King *Charles* would not have it in his Power to pursue his own Inclination, he resolved to take another Method, in order to disable *England* at least from interposing in the Affairs of *Europe*. And that was to raise Troubles in the Kingdom, and then to foment them, that the *English* might be kept employed at Home. The Duke of *York*'s Plots, the King his Brother's Easiness to be guided by his Counsels, the Choice of passionate, and it may be corrupt Ministers, proceeded

A Dissertation on the Origin

ceeded in all Appearance from *Lewis's* secret Practices in *England*. This Method succeeded to his Wish. The Conspiracy discovered by *Titus Oates*, the pretended *Protestant-Plot*, the Persecution of the *Presbyterians*, the People's Murmurings, the Discord between the King and the Parliament, found the *English* so much Work at Home, that it was not possible for them to look Abroad. In the mean Time, *Lewis XIV* was rendering himself formidable to all *Europe*, having nothing to fear from the *English* who stood idle when they should have used their utmost Endeavours to put a stop to his Progress.

Upon the Accession of *James II* to the Throne, *Lewis* gave not over a Method that had proved so successful. On the contrary, he pressed the new King of *England* to execute the Projects he had formed when Duke of *York*, in favour of *Popery* and *Arbitrary Power*. He knew these two Points were sufficient to keep *England* long employed; however, as his Aim was only to embroil the Nation, he never assisted King *James* to any Purpose. The too sudden Execution of that Prince's Designs was not for his Interest, when he saw him on the Point of being attacked by the Prince of *Orange*, he never stirred in his Defence, but rather made use of the Conjunction to carry War into *Germany*. He imagined that the Troubles he had raised in *England* would, for some Time, disable that Kingdom from opposing his ambitious Designs. And this was the sole End of all his Proceedings. Afterwards, when King *William* proclaimed War against him, he sent King *James* into *Ireland* with seven Thousand Men, a poor Aid to restore him to his Throne, but sufficient to make a Diversion, and feed the Hopes of the Male-contented. Thus is it demonstrable from *Lewis's* whole Conduct, that he never had other Intention than to embroil *England*, and that King *James* was the Dupe of his Policy. It seems however at first sight, that King *James's* Restoration would have been for *Lewis's* Advantage. But most assuredly it was against his Interest

Interest for a King of *England* to be at Peace in his Dominions. The Reason is plain ; as it is the Interest of *England* to hold the Ballance even in *Europe*, *Lewis*, who had formed vast Projects, would have run the Risk of being opposed by a King of *England*, who having no Distractions at home, might in the end pursue his true Interests, or be forced to it by his Parliament ; and therefore, *Lewis XIV* was satisfied to keep *England* embroiled, and for that Purpose, to hold secret Correspondence with the leading *Tories*, which came at length to be discovered in the last Years of Queen *Anne*.

It seems then to be the *French* King's Interest to keep up a good Understanding with the *Tories*, to be able by their Means to foment the Troubles of *England*. This will be found to be strictly true, when he forms any Designs against the Rest of *Europe*. But if he aims no farther than to live in Peace, and stand upon his Defence, in case of Invasion, nothing can be more for his Advantage than the cultivating the King of *England*'s Friendship, according to the constant Maxim of *Lewis*'s Predecessors, whether the Ministry be *Whig* or *Tory*. *France*, as she has stood for many Years, may be said to be invincible, as long as *England* declares not against her. But if the King of *England* is provoked, and enters into a new Alliance with *Holland* and *Germany*, the last War's Experience shows that *France* is very far from being unconquerable. It may then be affirmed, that if the Illustrious Prince * now at the Helm of the *French* Affairs intends not to pursue the vast Designs of *Lewis XIV*, he is by no Means concerned to cherish the Troubles of *England*, which, instead of being for his Advantage, may greatly turn to his Prejudice *1. I confess in the underhand Assistance given
the

* The Duke of *Orleans*.

*1 What the Author says of the Interests of *France*, with regard to the *Whigs* and *Tories*, being out of Season, since the Conclusion of the Alliance between that Crown, *England* and *Holland*.

the *Pretender* in *France*, the Regent has proceeded so as to seem to destroy the Maxim I mean to advance: Time will unfold, perhaps, the Mystery of this Policy. But in the mean while, I cannot forbear thinking that he is misinformed of the true State of the two Parties in *England*, and has given too much Credit to self-interested and prejudiced Persons. It may be, the *Pretender* himself has been deceived in the same Manner.

I have but one Observation more to make, with which I shall conclude what I have to say concerning the *Whigs* and *Tories*. In speaking of their several Views, Interests, and Characters, I meant not to include every particular Person of either Party, but only their Leaders and Managers, with some of the most Active on both Sides. Though the People in general, by Inclination, or Interest, are either *Whigs* or *Tories*, it does not follow that every single Person goes upon the Views ascribed to his Party. It is certain the Generality suffer themselves to be led without knowing whither they are going, or examining the Course prescribed them. Consequently they are far from being concerned in the Intrigues and Cabals which their Leaders are continually busied about. Such a one has listed himself a *Tory*, as being attached to the Church of *England*, and afterwards without knowing how, finds himself obliged to maintain the Principles of the *furious* and *rigid Tories*, though contrary to his Inclination. There are Thousands of honest *Englishmen*, without doubt, who grieve to see their Country thus rent with Divisions, and would gladly embrace all Expedients to put a stop to them. But it is not easy to observe a just Neutrality, because it is difficult to be without Ambition and Avarice. Those who stand Neuter, as I said, are neither preferred nor trusted, by Reason that one of the Parties are always in Power, and have nothing more at Heart than the advancing their Friends,

signed *January 4, 1717*, it was proper to acquaint the Reader that this Dissertation was finished in the Month of *February 1716*.

Friends, or winning some of the contrary Party. And therefore there can be no Posts or Offices for Men, from whom the prevailing Party can expect no manner of Service. Moreover, how can a Man be Neuter between two Parties, each of whom represent their Adversaries as designing those Evils which are most apt to fill Men with Fears : I mean, the Destruction of the Religion they profess, and the Dissolution of a Government; which alone, in their Opinion, can render Subjects happy ? A Man must be very insensible not to be moved with such Dangers, when convinced of their Reality.

All *Englishmen* then are not to bear the Blame of these unnatural Divisions, but only those who cherish them for their own private Interest, Who are they that would invest the King with absolute Power ? Who are they that would debar free-born Subjects of *Liberty of Conscience* ? Who are they, in a Word, that labour to introduce *Papery* ? Can it be said that these are the Views of every particular *Tory* ? No, by no Means. But they are the Aims of the Leaders, who, for their own Ends, seduce the poor People, and make no Scruple to involve them in the Danger of a Civil War.

One may venture to affirm, that it would not be for the Kingdom's Interest to have one of the Parties become so superiour as to meet with no Opposition. Should it be the *furious Tories*, they would introduce *Arbitrary Power*. And if it were the *moderate Tories*, their Bias to the Prerogative of the Crown; would at length put the Sovereign upon attempting to shake off the galling Yoke of Parliaments. Were it possible for the *Papists* to be uppermost, *England* would soon bid farewell to her Religion and Liberty. On the other Hand, if the *Republican-Whigs* should be superiour again, you would hear no more of the Kingdom but the *Common-wealth* of *England*, as in *Cromwell's* Days. Lastly, were the *moderate Whigs* to have the Management, they would guard so against the Incroachments of the Regal Power, that the Sovereign

reign would be reduced to the Condition of a *Doge of Venice*.

As for the two Parties with regard to Religion, it is certain, if the *Presbyterians* ever come to act without controule, they will never be satisfied till the *Hierarchy* and the whole Fabrick of the Church of *England* be entirely demolished. But then, if the *rigid Episcopalians* have nothing to balance their Power, the *Presbyterians* must expect to be openly persecuted. And who knows whether they will suffer them to enjoy a bare *Liberty of Conscience*?

Assuredly the Welfare of the Kingdom lies not in any of the Ends the Leaders of both Parties have in View. The only Way to restore Peace and Tranquillity, would be to leave the *Government* upon its antient Foot, and the *Church*, as established at the *Reformation*. It would also be necessary to grant a *Toleration* to the *Presbyterians* who are very Numerous in the Kingdom. If this way be not used, it will always be better for the State that the People continue divided as they are, than if one of the Parties should acquire a Superiority, which would be more fatal to the Publick than the Equality which cherishes their Discord. I do not see what can put an End to this sort of Civil War, but the Prudence of a just and equitable Sovereign, moderate in his Desires and Passions; a Lover of the *Protestant Religion*, and one that makes the Good and Happiness of his Subjects his sole Care and Study. This is what may with Reason be expected from the King who now fills the Throne, since he possesses all those Virtues in an eminent Degree. May Heaven prosper his Designs, and may he live to see the happy Effects of his Pains and Endeavours!

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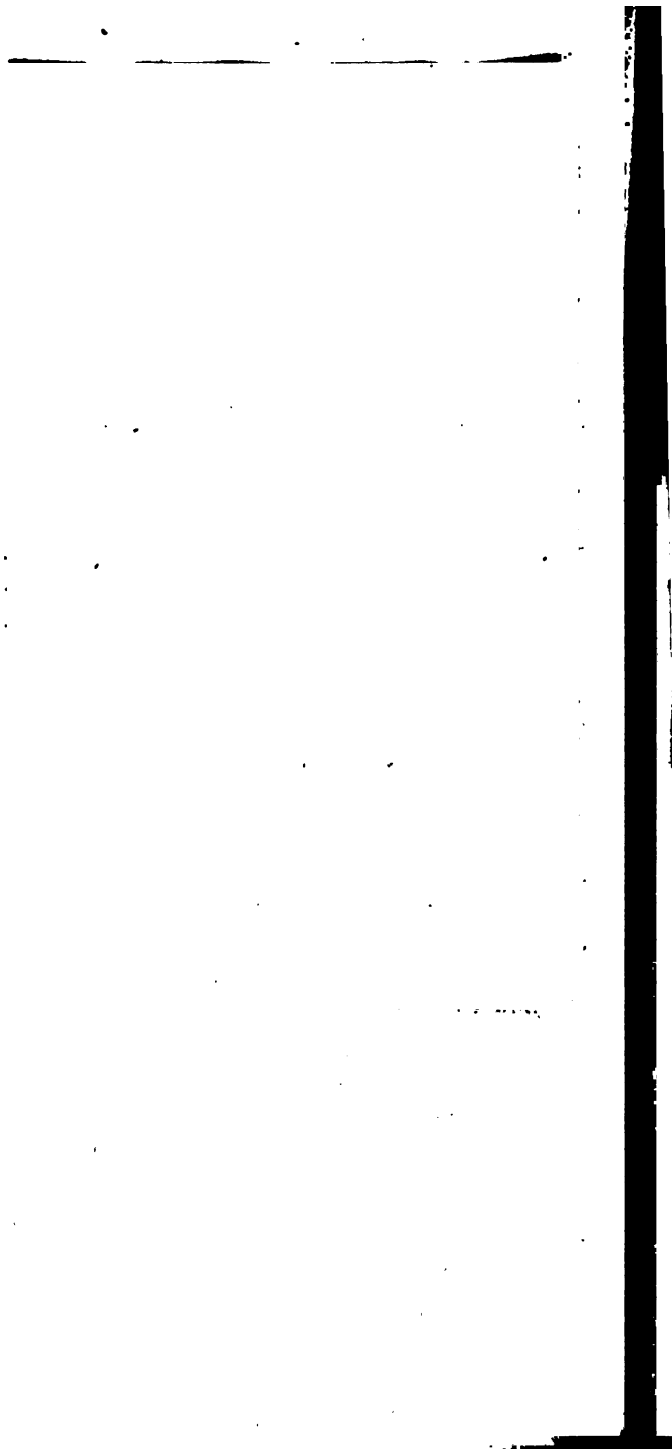
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